

WEDNESDAY, APRIL 4, 2018

SIXTY-SEVENTH LEGISLATIVE DAY

The House met at 8:00 a.m. and was called to order by Madam Speaker Harwell.

The proceedings were opened with prayer by Reverend Enoch Fuzz, Corinthian Baptist Church, Nashville, Tn.

Representative Hardaway led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present..... 82

Representatives present were Beck, Boyd, Brooks H., Brooks K., Butt, Byrd, Calfee, Carr, Carter, Casada, Clemmons, Coley, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Mitchell, Moody, Moon, Pitts, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Sherrell, Smith, Staples, Stewart, Terry, Tillis, Travis, Van Huss, Vaughan, Weaver, White M., Whitson, Williams, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 82

EXCUSED

The Speaker announced that the following members have been excused, pursuant to requests under **Rule No. 20**:

Representative Cooper; personal

Representative Turner; personal

Representative Miller; personal

Representative Towns; personal

Representative Parkinson; personal

Representative Johnson; business

Representative Thompson; personal

Representative Akbari; personal

Representative Camper; personal

PRESENT IN CHAMBER

Reps. Hazlewood, Love, McCormick and Sparks were recorded as being present in the Chamber.

**COMMUNICATION
April 4, 2018**

Ms. Tammy Letzler,
Chief Clerk of the House of Representatives
Second Floor, State Capitol Building
Nashville, TN 37243

Mr. Russell Humphrey,
Chief Clerk of the Senate
Second Floor, State Capitol Building
Nashville, TN 37243

Dear Ms. Clerk and Mr. Clerk:

As Speaker of the Senate and Speaker of the House of Representatives for the 110th General Assembly, we created the Joint Ad Hoc Committee on Disability Services on August 2017.

Representative Kevin Brooks has recently resigned as co-chair of the committee. In his place, we are appointing Representative Debra Moody to serve as a co-chair with Senator Becky Massey. We are also appointing Representative David Hawk to serve as a member of the committee.

Sincerely,

/s/ Lt. Governor Randy McNally

/s/ Speaker Beth Harwell

cc: Rick Nicholson
Scott Gilmer
Connie Ridley
Don R. Johnson, G-7 State Capitol Bldg.
Karen Garrett
Doug Himes

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 1014 Rep. Ramsey as prime sponsor.

House Joint Resolution No. 1015 Rep. Ramsey as prime sponsor.

House Joint Resolution No. 1020 Reps. Clemmons and Gilmore as prime sponsors.

House Joint Resolution No. 1054 Reps. Gilmore and Clemmons as prime sponsors.

House Joint Resolution No. 1055 Reps. Clemmons and Gilmore as prime sponsors.

House Joint Resolution No. 1056 Rep. Gilmore as prime sponsor.

House Bill No. 1494 Rep. Crawford as prime sponsor.

House Bill No. 1597 Rep. Hardaway as prime sponsor.

House Bill No. 1727 Reps. Hardaway and Daniel as prime sponsors.

House Bill No. 1729 Reps. Terry and Hazlewood as prime sponsors.

House Bill No. 1856 Rep. Harwell as Second prime sponsor.

House Bill No. 1856 Reps. Moody, Marsh, Faison, Beck, Crawford, M. White, Butt, Sherrell, C. Sexton, Keisling, K. Brooks, Lamberth, D. White, Howell, Jernigan, Powell, Travis, Stewart, Windle, DeBerry, Hazlewood, H. Brooks, Calfee, Curcio, Reedy, Kane, Wirgau, Moon, Terry, Ragan, Eldridge, Love, Ramsey, Gant, Sanderson, Tillis, Littleton, Rudd, Rogers, Byrd, Holsclaw, Powers, Sparks, Williams, Lynn, Fitzhugh, McCormick, Staples, Clemmons, Daniel and Hardaway as prime sponsors.

House Bill No. 1905 Reps. M. White and Powell as prime sponsors.

House Bill No. 1962 Reps. Reedy, Lollar, Gant and Smith as prime sponsors.

House Bill No. 2021 Reps. Moon, Faison, Eldridge, Halford, T. Hill, Terry, Reedy, Zachary, Gant, Ragan, M. White, Hardaway, Clemmons, Daniel, Byrd and Keisling as prime sponsors.

House Bill No. 2153 Reps. Terry, Faison, Byrd, Williams, T. Hill, Tillis, Matlock, K. Brooks, Reedy, Eldridge, Butt, Halford, Sanderson, Holt, Crawford, Forgety, Sherrell and Windle as prime sponsors.

House Bill No. 2219 Rep. Terry as prime sponsor.

House Bill No. 2248 Reps. Curcio, Akbari and Hardaway as prime sponsors.

House Bill No. 2272 Rep. Love as prime sponsor.

House Bill No. 2315 Reps. Rudd and Alexander as prime sponsors.

House Bill No. 2330 Reps. Beck and Staples as prime sponsors.

House Bill No. 2331 Reps. Beck and Hardaway as prime sponsors.

House Bill No. 2550 Rep. Kumar as prime sponsor.

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VERSION**

House Bill No. 2561 Reps. Favors, Mitchell and Beck as prime sponsors.

House Bill No. 2634 Reps. Hardaway, Powers, Hazlewood, Calfee and M. White as prime sponsors.

**REPORT OF CHIEF ENGROSSING CLERK
April 3, 2018**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bills Nos. 1539, 1569, 1855, 2004, 2069, 2186, 2222, 2342 and 2697; for his action.

GREG GLASS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE
April 3, 2018**

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos. 767 and 768; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**SIGNED
April 3, 2018**

The Speaker announced that she had signed the following: Senate Joint Resolutions Nos. 767 and 768.

TAMMY LETZLER, Chief Clerk

**MESSAGE FROM THE SENATE
April 3, 2018**

MADAM SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 729, 872, 905, 912, 915, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983 and 994; concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
April 3, 2018**

MADAM SPEAKER: I am directed to return to the House, House Bill No. 2337; substituted for Senate Bill on same subject, amended, and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
April 3, 2018**

MADAM SPEAKER: I am directed to return to the House, House Bill No. 2053; substituted for Senate Bill on same subject, amended, and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
April 3, 2018**

MADAM SPEAKER: I am directed to return to the House, House Bill No. 1717; substituted for Senate Bill on same subject, amended, and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
April 3, 2018**

MADAM SPEAKER: I am directed to return to the House, House Bills Nos. 1686, 1707, 1816, 1966, 2002, 2029, 2304, 2444 and 2524; substituted for Senate Bills on same subjects and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
April 3, 2018**

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos. 602, 726, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 807, 808, 809, 810, 811, 812, 813, 814, 815 and 816; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

***Senate Joint Resolution No. 602** -- General Assembly, Statement of Intent or Position - Encourages Tennessee to adopt a statewide honorary Work Ethic Diploma. by *Gresham, *Southerland.

***Senate Joint Resolution No. 726** -- General Assembly, Statement of Intent or Position - Encourages the Tennessee Higher Education Suicide Prevention Task Force and the Department of Mental Health and Substance Abuse Services to develop and implement higher education specific protocols for the prevention, intervention, and postvention of death by suicide. by *Crowe, *Yarbro.

Senate Joint Resolution No. 787 -- Memorials, Recognition - Trooper Michael Loftis, Trooper of the Year. by *Bailey.

Senate Joint Resolution No. 788 -- Memorials, Academic Achievement - Annalise M. Wallace, Salutatorian, Cumberland County High School. by *Bailey.

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Senate Joint Resolution No. 789 -- Memorials, Academic Achievement - Vasilis Drainas, Valedictorian, Cumberland County High School. by *Bailey.

Senate Joint Resolution No. 790 -- Memorials, Academic Achievement - Clare Kemmer, Salutatorian, Stone Memorial High School. by *Bailey.

Senate Joint Resolution No. 791 -- Memorials, Academic Achievement - Jordan Ann Houston, Valedictorian, Stone Memorial High School. by *Bailey.

Senate Joint Resolution No. 792 -- Memorials, Personal Achievement - Joshua Sonnenmeier, Eagle Scout. by *Southerland.

Senate Joint Resolution No. 793 -- Memorials, Personal Achievement - William Sullivan, Eagle Scout. by *Southerland.

Senate Joint Resolution No. 794 -- Memorials, Recognition - Don Hamilton, Governor's Volunteer Stars Award. by *Southerland.

Senate Joint Resolution No. 795 -- Memorials, Recognition - Cameron Hamilton, Governor's Volunteer Stars Award. by *Southerland.

Senate Joint Resolution No. 796 -- Memorials, Death - Mayor John Coombs. by *Haile.

Senate Joint Resolution No. 797 -- Memorials, Recognition - Lonnie Keith Head. by *Dickerson.

Senate Joint Resolution No. 798 -- Memorials, Recognition - Tom Strate, Silver Beaver Award. by *Southerland.

Senate Joint Resolution No. 799 -- Memorials, Academic Achievement - Jansen Carver, Valedictorian, McClain Christian Academy. by *Pody.

Senate Joint Resolution No. 800 -- Memorials, Sports - Freed-Hardeman University women's basketball team. by *Gresham, *Haile, *Jackson, *Roberts.

Senate Joint Resolution No. 801 -- Memorials, Sports - Dale Neal, Coach of the Year. by *Gresham, *Roberts.

Senate Joint Resolution No. 802 -- Memorials, Retirement - Reverend John Wood. by *Massey, *McNally.

Senate Joint Resolution No. 803 -- Memorials, Recognition - Cathy Dyer. by *Hensley.

Senate Joint Resolution No. 804 -- Memorials, Interns - Allison Wilson. by *Hensley.

Senate Joint Resolution No. 805 -- Memorials, Recognition - Jessica Epley. by *Roberts.

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Senate Joint Resolution No. 807 -- Memorials, Public Service - Senator Lee Harris. by *Yarbro, *Kyle, *Bailey, *Bell, *Bowling, *Briggs, *Crowe, *Dickerson, *Gardenhire, *Green, *Gresham, *Haile, *Harper, *Hensley, *Jackson, *Johnson, *Kelsey, *Ketrone, *Lundberg, *Massey, *Niceley, *Norris, *Pody, *Reeves, *Roberts, *Southerland, *Stevens, *Swann, *Tate, *Watson, *Yager, *McNally.

Senate Joint Resolution No. 808 -- Memorials, Recognition - Dawn of Hope, 50th Anniversary. by *Crowe, *Massey.

Senate Joint Resolution No. 809 -- Memorials, Interns - Catherine DeBell. by *Crowe.

Senate Joint Resolution No. 810 -- Memorials, Academic Achievement - Mallory Skye Owens, Salutatorian, Macon County High School. by *Pody.

Senate Joint Resolution No. 811 -- Memorials, Academic Achievement - Kammie Marie Yates, Valedictorian, Macon County High School. by *Pody.

Senate Joint Resolution No. 812 -- Memorials, Sports - Hamilton High School boys' basketball team, TSSAA Class AA State Champions. by *Tate.

Senate Joint Resolution No. 813 -- Memorials, Death - Nell Juanita Rogers Atkeison. by *Gresham.

Senate Joint Resolution No. 814 -- Memorials, Death - Dwana Pusser Garrison. by *Gresham, *Bailey, *Bell, *Bowling, *Briggs, *Crowe, *Dickerson, *Gardenhire, *Green, *Haile, *Harper, *Harris, *Hensley, *Jackson, *Johnson, *Kelsey, *Ketrone, *Kyle, *Lundberg, *Massey, *Niceley, *Norris, *Pody, *Reeves, *Roberts, *Southerland, *Stevens, *Swann, *Tate, *Watson, *Yager, *Yarbro, *McNally.

Senate Joint Resolution No. 815 -- Memorials, Death - Herbert Ray Myers. by *Gresham.

Senate Joint Resolution No. 816 -- Memorials, Death - Doyle Murphy. by *Gresham.

**MESSAGE FROM THE SENATE
April 3, 2018**

MADAM SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 1567, 1869, 2036, 2314, 2473, 2486, 2634, 2694, 2696, 2698 and 2704; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

***Senate Bill No. 1567** -- Sunset Laws - As introduced, reduces by one year the entity review period of the human rights commission by changing the entity termination date from June 30, 2021 to June 30, 2020. - Amends TCA Title 4, Chapter 21 and Title 4, Chapter 29, Part 2. by *Bell. (HB1662 by *Faison, *Ragan)

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***Senate Bill No. 1869** -- Insurance Companies, Agents, Brokers, Policies - As introduced, authorizes certain insureds, or other persons entitled to benefits under a policy, to assign their benefits to a healthcare provider; authorizes an insurer to disregard such assignments under certain circumstances; prohibits healthcare providers, and healthcare facilities and providers in such facilities, from collecting out-of-network charges unless certain requirements are met. - Amends TCA Title 8; Title 56; Title 63 and Title 68. by *Lundberg, *Massey. (HB1935 by *Zachary, *Moon)

***Senate Bill No. 2036** -- Education, Higher - As introduced, requires the governor, in appointing members to the board of regents, University of Tennessee board of trustees, and state university governing boards to strive to ensure that at least one board member is an honorably discharged military veteran. - Amends TCA Section 49-8-201 and Section 49-9-202. by *Gresham, *Roberts. (HB2682 by *Weaver)

Senate Bill No. 2314 -- Local Education Agencies - As introduced, changes the manner for which LEAs using the uniform grading system for lottery scholarship purposes, but another grading system based on quality points for other purposes, must award additional quality points for honors and other advanced courses. - Amends TCA Section 49-6-407. by *Southerland. (*HB2324 by *Goins)

Senate Bill No. 2473 -- Lobbying, Lobbyists - As introduced, prohibits a state or local licensing authority from entering into a contract with a lobbyist or a lobbying firm. - Amends TCA Title 3, Chapter 6, Part 3. by *Roberts. (*HB1804 by *Howell, *Daniel)

***Senate Bill No. 2486** -- Boards and Commissions - As introduced, authorizes the election of one member of the board of directors for an industrial development corporation or a health, educational, and housing facility corporation, who is an employee of the municipality, or who is not a duly qualified elector or taxpayer of the municipality, or both, if the member is employed in the promotion of economic development in the municipality. - Amends TCA Title 7, Chapter 53, Part 3 and Title 48, Chapter 101, Part 3. by *Pody. (HB2633 by *Lynn)

Senate Bill No. 2634 -- Economic and Community Development - As introduced, authorizes a pilot program to terminate on January 1, 2034, that allows the department to make grants and loans to governmental entities for financing food desert relief enterprises in low-income, underserved areas; deposits the revenue generated by a certain percentage of the food sales tax rate levied on retail sales of sugar-sweetened beverages to a special fund for financing the grants and loans. - Amends TCA Title 4, Chapter 3; Title 67, Chapter 4 and Title 67, Chapter 6. by *Norris, *Gardenhire, *Harper, *Yarbro. (*HB2120 by *Love, *Staples, *Gilmore, *Cooper)

Senate Bill No. 2694 -- Highways, Roads and Bridges - As introduced, increases, from 10 to 30, the number of days a utility facility owner located in state highway right-of-way has to respond to second relocation notice and number of days an owner has to file reservation of rights notice with TDOT. - Amends TCA Title 54. by *Bailey. (*HB1522 by *Doss)

Senate Bill No. 2696 -- Transportation, Dept. of - As introduced, authorizes the department to transfer its interest in right-of-way property that is initially appraised by the department at \$10,000 or less to a legal governmental entity at the appraised value without further appraisal or approval. - Amends TCA Title 4; Title 5; Title 6; Title 7 and Title 12, Chapter 2. by *Bailey, *Gardenhire. (*HB1732 by *Sexton C)

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Senate Bill No. 2698 -- Motor Vehicles - As introduced, requires that law enforcement be notified within 30 minutes of towing of vehicle, instead of prior to towing, if owner not present; makes various revisions regarding timeline requirements for notification of owner by garagekeeper or towing firm and for execution of waiver of right to sell vehicle by police department. - Amends TCA Title 55, Chapter 16. by *Bailey. (*HB1710 by *Doss, *Goins)

Senate Bill No. 2704 -- Physicians and Surgeons - As introduced, clarifies that the required notice to patients when extremely dense breast tissue is discovered must be a written notice given directly to the patient either in person or by mail. - Amends TCA Title 63. by *Bowling, *Massey. (*HB2634 by *Kumar, *Ramsey)

**MESSAGE FROM THE SENATE
April 3, 2018**

MADAM SPEAKER: I am directed to return to the House, House Bills Nos. 222, 1198, 1552, 1667, 1762, 1875, 2014, 2047, 2080, 2251, 2387, 2693, 2696, 2698 and 2701; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**ENROLLED BILLS
April 3, 2018**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolutions Nos. 267 and 268; and find same correctly enrolled and ready for the signature of the Speaker.

GREG GLASS, Chief Engrossing Clerk

**SIGNED
April 3, 2018**

The Speaker announced that she had signed the following: House Resolutions Nos. 267 and 268.

GREG GLASS, Chief Engrossing Clerk

**ENGROSSED BILLS
April 3, 2018**

MADAM SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Bills Nos. 75, 1344, 1786, 1807, 1862, 1929, 1939, 1975, 2082, 2188, 2189, 2232, 2339, 2423, 2510 and 2706; also House Joint Resolutions Nos. 713, 873, 908, 996, 997, 998, 999, 1000, 1002, 1005, 1006, 1007, 1009, 1010, 1011, 1012 and 1013.

GREG GLASS, Chief Engrossing Clerk

**ENROLLED BILLS
April 3, 2018**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 1686, 1707, 1816, 1966, 1976, 2002, 2029, 2304, 2444 and 2524; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE
April 3, 2018**

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos. 537, 542, 545, 546, 761, 762, 763, 764, 765, 766, 769, 770, 771, 772, 773, 774, 775, 776, 778, 779, 780, 781, 782, 783, 784, 786 and 806; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**SIGNED
April 3, 2018**

The Speaker announced that she had signed the following: Senate Joint Resolutions Nos. 537, 542, 545, 546, 761, 762, 763, 764, 765, 766, 769, 770, 771, 772, 773, 774, 775, 776, 778, 779, 780, 781, 782, 783, 784, 786 and 806.

TAMMY LETZLER, Chief Clerk

**ENROLLED BILLS
April 3, 2018**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Joint Resolutions Nos. 729, 872, 905, 912, 915, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983 and 994; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Chief Engrossing Clerk

**SIGNED
April 3, 2018**

The Speaker announced that she had signed the following: House Joint Resolutions Nos. 729, 872, 905, 912, 915, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983 and 994.

GREG GLASS, Chief Engrossing Clerk

**SIGNED
April 3, 2018**

The Speaker announced that she had signed the following: Senate Bills Nos. 1407, 1553, 1723, 1812, 1944, 2249, 2413 and 2513.

TAMMY LETZLER, Chief Clerk

**MESSAGE FROM THE SENATE
April 4, 2018**

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No. 860; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

Senate Joint Resolution No. 860 -- Memorials, Recognition - Ed Snodderly. by *Crowe.

PERSONAL ORDERS

RECOGNITION IN THE WELL

Representative Wirgau was recognized in the Well to honor Gracie Osbron, Alison Reagor, Elizabeth Paige Alexander and Roezona Godbott, 2018 World's Biggest Fish Fry Princess Court.

RESOLUTION READ

The Clerk read House Joint Resolution No. 768, adopted February 12, 2018.

House Joint Resolution No. 768 -- Memorials, Recognition - 2018 World's Biggest Fish Fry Princess Court. by *Wirgau.

EXCUSED

The Speaker announced that the following member has been excused, pursuant to request under **Rule No. 20**:

Representative Alexander; business

INTRODUCTION OF RESOLUTIONS

On motion, pursuant to **Rule No. 17**, the following resolutions listed were introduced and referred to the appropriate Committee:

***House Joint Resolution No. 1001** -- Memorials, Congress - Calls on the U.S. Secretary of Transportation to revoke the September 7, 2011, acceptance letter regarding the X-Lite Flared Terminal and the X-Lite Tanget Terminal guardrails and to call for the removal of such guardrails from roads in the United States. by *Matlock, *Zachary, *Smith, *Doss, *Cooper, *Travis, *Dunn, *Alexander, *Windle, *Mitchell, *Carr, *Sanderson, *Turner, *Hill T, *Weaver, *Rogers, *Whitson, *Keisling, *Sexton J.

House Transportation Committee

***House Joint Resolution No. 1021** -- General Assembly, Confirmation of Appointment - David F. Jones, Tennessee Public Utility Commission. by *Harwell.

House Business and Utilities Committee

***House Joint Resolution No. 1022** -- General Assembly, Confirmation of Appointment - John Hie, Tennessee Public Utility Commission. by *Harwell.

House Business and Utilities Committee

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolutions were introduced and placed on the Consent Calendar No. 2 for April 4, 2018:

House Resolution No. 270 -- Memorials, Interns - Courtney Blanchard. by *Forgety.

House Resolution No. 271 -- Memorials, Academic Achievement - Whitney Williams, Valedictorian, Hardin County High School. by *Byrd.

House Resolution No. 272 -- Memorials, Academic Achievement - Whitley Cagle, Salutatorian, Hardin County High School. by *Byrd.

House Resolution No. 273 -- Memorials, Academic Achievement - Walker Adkisson, Top Ten Senior, Hardin County High School. by *Byrd.

House Resolution No. 274 -- Memorials, Academic Achievement - Joseph Burd, Top Ten Senior, Hardin County High School. by *Byrd.

House Resolution No. 275 -- Memorials, Academic Achievement - John Patrick Davis, Top Ten Senior, Hardin County High School. by *Byrd.

House Resolution No. 276 -- Memorials, Academic Achievement - Madelyn Blankenship, Top Ten Senior, Hardin County High School. by *Byrd.

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House Resolution No. 277 -- Memorials, Academic Achievement - Rachel Franks, Top Ten Senior, Hardin County High School. by *Byrd.

House Resolution No. 278 -- Memorials, Academic Achievement - Alyssa Irons, Top Ten Senior, Hardin County High School. by *Byrd.

House Resolution No. 279 -- Memorials, Academic Achievement - Julia Mazanek, Top Ten Senior, Hardin County High School. by *Byrd.

House Resolution No. 280 -- Memorials, Academic Achievement - Laura Lee Parson, Top Ten Senior, Hardin County High School. by *Byrd.

House Resolution No. 281 -- Memorials, Recognition - Joanna Helton, Governor's Volunteer Stars Award. by *Byrd.

House Resolution No. 282 -- Memorials, Recognition - Curtis Peters, Governor's Volunteer Stars Award. by *Byrd.

House Resolution No. 283 -- Memorials, Recognition - DeLaney Timberman, Governor's Volunteer Stars Award. by *Byrd.

House Resolution No. 284 -- Memorials, Recognition - Maicee Burleson, Governor's Volunteer Stars Award. by *Byrd.

House Resolution No. 285 -- Memorials, Recognition - Katy Wright, Governor's Volunteer Stars Award. by *Byrd.

House Joint Resolution No. 1020 -- Memorials, Sports - Lipscomb University men's basketball team. by *Harwell.

House Joint Resolution No. 1023 -- Memorials, Sports - Hamilton High School boys' basketball team, TSSAA Class AA State Champions. by *Akbari.

House Joint Resolution No. 1024 -- Memorials, Academic Achievement - Sydnee Runions, Valedictorian, Wayne County High School. by *Byrd.

House Joint Resolution No. 1025 -- Memorials, Academic Achievement - Aidan Britt, Salutatorian, Wayne County High School. by *Byrd.

House Joint Resolution No. 1026 -- Memorials, Academic Achievement - Sydni McClain, Top Ten Senior, Wayne County High School. by *Byrd.

House Joint Resolution No. 1027 -- Memorials, Academic Achievement - Jaylee Warren, Top Ten Senior, Wayne County High School. by *Byrd.

House Joint Resolution No. 1028 -- Memorials, Academic Achievement - Braden Morris, Top Ten Senior, Wayne County High School. by *Byrd.

House Joint Resolution No. 1029 -- Memorials, Academic Achievement - John Austin Skelton, Top Ten Senior, Wayne County High School. by *Byrd.

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House Joint Resolution No. 1030 -- Memorials, Academic Achievement - Brittany Gobbell, Top Ten Senior, Wayne County High School. by *Byrd.

House Joint Resolution No. 1031 -- Memorials, Academic Achievement - Amelia Williams, Top Ten Senior, Wayne County High School. by *Byrd.

House Joint Resolution No. 1032 -- Memorials, Academic Achievement - Avery Davis, Top Ten Senior, Wayne County High School. by *Byrd.

House Joint Resolution No. 1033 -- Memorials, Academic Achievement - Makenna Vandygriffe, Top Ten Senior, Wayne County High School. by *Byrd.

House Joint Resolution No. 1034 -- Memorials, Academic Achievement - Mahalie Bree Stults, Valedictorian, Collinwood High School. by *Byrd.

House Joint Resolution No. 1035 -- Memorials, Academic Achievement - Jonathan Taylor Keeton, Salutatorian, Collinwood High School. by *Byrd.

House Joint Resolution No. 1036 -- Memorials, Academic Achievement - Maicee Ciara Burleson, Top Ten Senior, Collinwood High School. by *Byrd.

House Joint Resolution No. 1037 -- Memorials, Academic Achievement - Abigail Lynn Dial, Top Ten Senior, Collinwood High School. by *Byrd.

House Joint Resolution No. 1038 -- Memorials, Academic Achievement - Brooklyn Danielle Grimes, Top Ten Senior, Collinwood High School. by *Byrd.

House Joint Resolution No. 1039 -- Memorials, Academic Achievement - Makenlee Grace Hensley, Top Ten Senior, Collinwood High School. by *Byrd.

House Joint Resolution No. 1040 -- Memorials, Academic Achievement - Addison Layne Holt, Top Ten Senior, Collinwood High School. by *Byrd.

House Joint Resolution No. 1041 -- Memorials, Academic Achievement - Chloe Wade Holt, Top Ten Senior, Collinwood High School. by *Byrd.

House Joint Resolution No. 1042 -- Memorials, Academic Achievement - Hayden Elizabeth Lee, Top Ten Senior, Collinwood High School. by *Byrd.

House Joint Resolution No. 1043 -- Memorials, Academic Achievement - Bailey Lynn Pigg, Top Ten Senior, Collinwood High School. by *Byrd.

House Joint Resolution No. 1044 -- Memorials, Academic Achievement - Ian Vaughn Pigg, Valedictorian, Frank Hughes High School. by *Byrd.

House Joint Resolution No. 1045 -- Memorials, Academic Achievement - Morgan Malin Whitfield, Salutatorian, Frank Hughes High School. by *Byrd.

House Joint Resolution No. 1046 -- Memorials, Academic Achievement - Ashlyn Rose Brown, Top Ten Senior, Frank Hughes High School. by *Byrd.

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House Joint Resolution No. 1047 -- Memorials, Academic Achievement - Shyanne Lashea Hobbs, Top Ten Senior, Frank Hughes High School. by *Byrd.

House Joint Resolution No. 1048 -- Memorials, Academic Achievement - Dionna LáKia Webb, Top Ten Senior, Frank Hughes High School. by *Byrd.

House Joint Resolution No. 1049 -- Memorials, Academic Achievement - Rachel Lynn Garrard, Top Ten Senior, Frank Hughes High School. by *Byrd.

House Joint Resolution No. 1050 -- Memorials, Academic Achievement - Anna Marie Moyers, Top Ten Senior, Frank Hughes High School. by *Byrd.

House Joint Resolution No. 1051 -- Memorials, Academic Achievement - Alexis Lauren Lineberry, Top Ten Senior, Frank Hughes High School. by *Byrd.

House Joint Resolution No. 1052 -- Memorials, Academic Achievement - Charles Raymond Brashier, Top Ten Senior, Frank Hughes High School. by *Byrd.

House Joint Resolution No. 1053 -- Memorials, Academic Achievement - Jonathan Mason Lineberry, Top Ten Senior, Frank Hughes High School. by *Byrd.

House Joint Resolution No. 1054 -- Memorials, Recognition - Azafran Park. by *Powell, *Love.

House Joint Resolution No. 1055 -- Memorials, Death - Perry Wallace. by *Harwell, *Love.

House Joint Resolution No. 1056 -- Memorials, Recognition - Dawana Watts Boone, Glenn Enhanced Option School 2017-2018 Teacher of the Year. by *Love.

House Joint Resolution No. 1057 -- Memorials, Recognition - Hannah Maurice, Boys and Girls Clubs of Tennessee State Youth of the Year. by *Carr, *Farmer.

House Joint Resolution No. 1058 -- Memorials, Recognition - Charlie Kerns. by *Keisling.

House Joint Resolution No. 1059 -- Memorials, Death - Verda "Buddy" Cope, Jr. by *Keisling.

House Joint Resolution No. 1060 -- Memorials, Sports - Courtney Pritchett, 2017-2018 TSSAA Class A Miss Basketball. by *Keisling.

House Joint Resolution No. 1061 -- Memorials, Death - Autrey Eskew "Sarge" Dye, Sr. by *Keisling.

House Joint Resolution No. 1062 -- Memorials, Sports - Clay County High School boys' basketball team, TSSAA Class A State Tournament Elite Eight. by *Keisling.

House Joint Resolution No. 1063 -- Memorials, Sports - Pickett County High School girls' basketball team, TSSAA Class A State Tournament Elite Eight. by *Keisling.

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House Joint Resolution No. 1064 -- Memorials, Sports - Macon County High School girls' basketball team, TSSAA Class AA State Runner-Up. by *Keisling.

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolutions were introduced and placed on the Consent Calendar for April 5, 2018:

House Resolution No. 286 -- Memorials, Sports - White County High School archery team, 2018 State Champion. by *Sherrell.

House Joint Resolution No. 1065 -- Memorials, Interns - Bethany Bruton. by *Pitts.

House Joint Resolution No. 1066 -- Memorials, Interns - Dylan Scott. by *Kane, *Moon, *Zachary.

House Joint Resolution No. 1067 -- Memorials, Recognition - April, Month of the Military Child. by *Lynn.

House Joint Resolution No. 1068 -- Memorials, Retirement - Rick Shepard. by *Ramsey, *Moon.

House Joint Resolution No. 1069 -- Memorials, Retirement - Cathy Higgins. by *Sargent.

House Joint Resolution No. 1070 -- Memorials, Recognition - Elk Valley Forestry Association. by *Tillis.

**SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolutions listed were noted as being placed on the Consent Calendar No. 2 for April 4, 2018:

Senate Joint Resolution No. 787 -- Memorials, Recognition - Trooper Michael Loftis, Trooper of the Year. by *Bailey.

Senate Joint Resolution No. 788 -- Memorials, Academic Achievement - Annalise M. Wallace, Salutatorian, Cumberland County High School. by *Bailey.

Senate Joint Resolution No. 789 -- Memorials, Academic Achievement - Vasilis Drinas, Valedictorian, Cumberland County High School. by *Bailey.

Senate Joint Resolution No. 790 -- Memorials, Academic Achievement - Clare Kemmer, Salutatorian, Stone Memorial High School. by *Bailey.

Senate Joint Resolution No. 791 -- Memorials, Academic Achievement - Jordan Ann Houston, Valedictorian, Stone Memorial High School. by *Bailey.

WEDNESDAY, APRIL 4, 2018 -- SIXTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL VERSION

Senate Joint Resolution No. 792 -- Memorials, Personal Achievement - Joshua Sonnenmeier, Eagle Scout. by *Southerland.

Senate Joint Resolution No. 793 -- Memorials, Personal Achievement - William Sullivan, Eagle Scout. by *Southerland.

Senate Joint Resolution No. 794 -- Memorials, Recognition - Don Hamilton, Governor's Volunteer Stars Award. by *Southerland.

Senate Joint Resolution No. 795 -- Memorials, Recognition - Cameron Hamilton, Governor's Volunteer Stars Award. by *Southerland.

Senate Joint Resolution No. 796 -- Memorials, Death - Mayor John Coombs. by *Haile.

Senate Joint Resolution No. 797 -- Memorials, Recognition - Lonnie Keith Head. by *Dickerson.

Senate Joint Resolution No. 798 -- Memorials, Recognition - Tom Strate, Silver Beaver Award. by *Southerland.

Senate Joint Resolution No. 799 -- Memorials, Academic Achievement - Jansen Carver, Valedictorian, McClain Christian Academy. by *Pody.

Senate Joint Resolution No. 800 -- Memorials, Sports - Freed-Hardeman University women's basketball team. by *Gresham, *Haile, *Jackson, *Roberts.

Senate Joint Resolution No. 801 -- Memorials, Sports - Dale Neal, Coach of the Year. by *Gresham, *Roberts.

Senate Joint Resolution No. 802 -- Memorials, Retirement - Reverend John Wood. by *Massey, *McNally.

Senate Joint Resolution No. 803 -- Memorials, Recognition - Cathy Dyer. by *Hensley.

Senate Joint Resolution No. 804 -- Memorials, Interns - Allison Wilson. by *Hensley.

Senate Joint Resolution No. 805 -- Memorials, Recognition - Jessica Epley. by *Roberts.

Senate Joint Resolution No. 807 -- Memorials, Public Service - Senator Lee Harris. by *Yarbro, *Kyle, *Bailey, *Bell, *Bowling, *Briggs, *Crowe, *Dickerson, *Gardenhire, *Green, *Gresham, *Haile, *Harper, *Hensley, *Jackson, *Johnson, *Kelsey, *Ketron, *Lundberg, *Massey, *Niceley, *Norris, *Pody, *Reeves, *Roberts, *Southerland, *Stevens, *Swann, *Tate, *Watson, *Yager, *McNally.

Senate Joint Resolution No. 808 -- Memorials, Recognition - Dawn of Hope, 50th Anniversary. by *Crowe, *Massey.

Senate Joint Resolution No. 809 -- Memorials, Interns - Catherine DeBell. by *Crowe.

WEDNESDAY, APRIL 4, 2018 -- SIXTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL VERSION

Senate Joint Resolution No. 810 -- Memorials, Academic Achievement - Mallory Skye Owens, Salutatorian, Macon County High School. by *Pody.

Senate Joint Resolution No. 811 -- Memorials, Academic Achievement - Kammie Marie Yates, Valedictorian, Macon County High School. by *Pody.

Senate Joint Resolution No. 812 -- Memorials, Sports - Hamilton High School boys' basketball team, TSSAA Class AA State Champions. by *Tate.

Senate Joint Resolution No. 813 -- Memorials, Death - Nell Juanita Rogers Atkeison. by *Gresham.

Senate Joint Resolution No. 814 -- Memorials, Death - Dwana Pusser Garrison. by *Gresham, *Bailey, *Bell, *Bowling, *Briggs, *Crowe, *Dickerson, *Gardenhire, *Green, *Haile, *Harper, *Harris, *Hensley, *Jackson, *Johnson, *Kelsey, *Ketron, *Kyle, *Lundberg, *Massey, *Niceley, *Norris, *Pody, *Reeves, *Roberts, *Southerland, *Stevens, *Swann, *Tate, *Watson, *Yager, *Yarbro, *McNally.

Senate Joint Resolution No. 815 -- Memorials, Death - Herbert Ray Myers. by *Gresham.

Senate Joint Resolution No. 816 -- Memorials, Death - Doyle Murphy. by *Gresham.

**SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolutions listed were noted as being placed on the Consent Calendar for April 5, 2018:

Senate Joint Resolution No. 860 -- Memorials, Recognition - Ed Snodderly. by *Crowe.

RESOLUTIONS LYING OVER

On motion, the resolutions listed were referred to the appropriate Committee:

***Senate Joint Resolution No. 521** -- Constitutional Amendments - Proposes an amendment to Article III, Section 12 of the Constitution of Tennessee to provide for the exercise of powers and duties of the governor during disability.
. by *Massey, *Kelsey, *Bowling, *Crowe, *Gresham, *Niceley.

House State Government Committee

***Senate Joint Resolution No. 593** -- General Assembly, Directed Studies - Directs the Tennessee Advisory Commission on Intergovernmental Relations to study the overall effects on public education relative to having multiple school districts operating in the same county. . by *Haile, *Crowe.

House Education Administration and Planning Committee

WEDNESDAY, APRIL 4, 2018 -- SIXTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL VERSION

***Senate Joint Resolution No. 611** -- Constitutional Amendments - Proposes amendment to Article VI, Section 5 to provide for the selection of the attorney general and reporter for the state with nomination by the supreme court and confirmation by the general assembly.. by *Yager.

House Civil Justice Committee

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

House Bill No. 2721 -- Silerton - Subject to local approval, rewrites town charter. - Amends Chapter 148 of the Private Acts of 1923; as amended. by *Shaw.

House Bill No. 2722 -- Hornsby - Subject to local approval, reduces board of mayor and aldermen from seven to five members; deletes all references to town marshal; reduces the number of readings to approve an ordinance from three to two; abolishes the position of treasurer and transfers responsibilities to the recorder; expands authority of the board of mayor and aldermen. - Amends Chapter 112 of the Private Acts of 1920; as amended. by *Shaw.

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

***Senate Bill No. 1567** -- Sunset Laws - As introduced, reduces by one year the entity review period of the human rights commission by changing the entity termination date from June 30, 2021 to June 30, 2020. - Amends TCA Title 4, Chapter 21 and Title 4, Chapter 29, Part 2. by *Bell. (HB1662 by *Faison, *Ragan)

***Senate Bill No. 1869** -- Insurance Companies, Agents, Brokers, Policies - As introduced, authorizes certain insureds, or other persons entitled to benefits under a policy, to assign their benefits to a healthcare provider; authorizes an insurer to disregard such assignments under certain circumstances; prohibits healthcare providers, and healthcare facilities and providers in such facilities, from collecting out-of-network charges unless certain requirements are met. - Amends TCA Title 8; Title 56; Title 63 and Title 68. by *Lundberg, *Massey. (HB1935 by *Zachary, *Moon)

***Senate Bill No. 2036** -- Education, Higher - As introduced, requires the governor, in appointing members to the board of regents, University of Tennessee board of trustees, and state university governing boards to strive to ensure that at least one board member is an honorably discharged military veteran. - Amends TCA Section 49-8-201 and Section 49-9-202. by *Gresham, *Roberts. (HB2682 by *Weaver)

Senate Bill No. 2314 -- Local Education Agencies - As introduced, changes the manner for which LEAs using the uniform grading system for lottery scholarship purposes, but another grading system based on quality points for other purposes, must award additional quality points for honors and other advanced courses. - Amends TCA Section 49-6-407. by *Southerland. (*HB2324 by *Goins)

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Senate Bill No. 2473 -- Lobbying, Lobbyists - As introduced, prohibits a state or local licensing authority from entering into a contract with a lobbyist or a lobbying firm. - Amends TCA Title 3, Chapter 6, Part 3. by *Roberts. (*HB1804 by *Howell, *Daniel)

***Senate Bill No. 2486** -- Boards and Commissions - As introduced, authorizes the election of one member of the board of directors for an industrial development corporation or a health, educational, and housing facility corporation, who is an employee of the municipality, or who is not a duly qualified elector or taxpayer of the municipality, or both, if the member is employed in the promotion of economic development in the municipality. - Amends TCA Title 7, Chapter 53, Part 3 and Title 48, Chapter 101, Part 3. by *Pody. (HB2633 by *Lynn)

Senate Bill No. 2634 -- Economic and Community Development - As introduced, authorizes a pilot program to terminate on January 1, 2034, that allows the department to make grants and loans to governmental entities for financing food desert relief enterprises in low-income, underserved areas; deposits the revenue generated by a certain percentage of the food sales tax rate levied on retail sales of sugar-sweetened beverages to a special fund for financing the grants and loans. - Amends TCA Title 4, Chapter 3; Title 67, Chapter 4 and Title 67, Chapter 6. by *Norris, *Gardenhire, *Harper, *Yarbro. (*HB2120 by *Love, *Staples, *Gilmore, *Cooper)

Senate Bill No. 2694 -- Highways, Roads and Bridges - As introduced, increases, from 10 to 30, the number of days a utility facility owner located in state highway right-of-way has to respond to second relocation notice and number of days an owner has to file reservation of rights notice with TDOT. - Amends TCA Title 54. by *Bailey. (*HB1522 by *Doss)

Senate Bill No. 2696 -- Transportation, Dept. of - As introduced, authorizes the department to transfer its interest in right-of-way property that is initially appraised by the department at \$10,000 or less to a legal governmental entity at the appraised value without further appraisal or approval. - Amends TCA Title 4; Title 5; Title 6; Title 7 and Title 12, Chapter 2. by *Bailey, *Gardenhire. (*HB1732 by *Sexton C)

Senate Bill No. 2698 -- Motor Vehicles - As introduced, requires that law enforcement be notified within 30 minutes of towing of vehicle, instead of prior to towing, if owner not present; makes various revisions regarding timeline requirements for notification of owner by garagekeeper or towing firm and for execution of waiver of right to sell vehicle by police department. - Amends TCA Title 55, Chapter 16. by *Bailey. (*HB1710 by *Doss, *Goins)

Senate Bill No. 2704 -- Physicians and Surgeons - As introduced, clarifies that the required notice to patients when extremely dense breast tissue is discovered must be a written notice given directly to the patient either in person or by mail. - Amends TCA Title 63. by *Bowling, *Massey. (*HB2634 by *Kumar, *Ramsey)

REPORTS FROM STANDING COMMITTEES

The committees that met on **April 3, 2018**, reported the following:

CIVIL JUSTICE COMMITTEE

The Civil Justice Committee recommended for passage: House Bills Nos. 1038, 2052, 1886 and 958 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bills Nos. 2271, 1926, 2134 and 2624 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

EDUCATION ADMINISTRATION AND PLANNING COMMITTEE

The Education Administration & Planning Committee recommended for passage: House Bill No. 1687 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bills Nos. 2431, 1757 and 2129 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

The Committee also transmitted the following to the Government Operations Committee for review: House Bills Nos. 2670 and 738 with amendments.

The Committee further reports that House Bill No. 2208 was considered, but failed to pass.

EDUCATION INSTRUCTION AND PROGRAMS COMMITTEE

The Education Instruction & Programs Committee recommended that the following be referred to the Finance, Ways and Means Committee: House Bills Nos. 1981, 2550 and 1109 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

FINANCE, WAYS AND MEANS COMMITTEE

The Finance, Ways & Means Committee recommended for passage: House Bills Nos. 1710, 1832, 1763, 1934, 2001, 2136, 2138, 2513, 1788, 1526, 1697, 2272 and 2049, also House Bills Nos. 2338, 1993, 571 and 2118 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

HEALTH COMMITTEE

The Health Committee recommended for passage: Senate Joint Resolution No. 506, also House Bills Nos. 2440 and 2219 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

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It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill No. 1709, also House Bills Nos. 1758 and 2221 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

The Committee also transmitted the following to the Government Operations Committee for review: House Bills Nos. 1805 and 2150 with amendments.

The Committee also transmitted the following to the Criminal Justice Committee: House Bill No. 2159 with amendments.

LOCAL GOVERNMENT COMMITTEE

The Local Government Committee recommended for passage: House Bills Nos. 2702, 2703, 2710, 2707 and 2705, also House Bills Nos. 2709 and 2635 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bills Nos. 2435, 2280 and 2664 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

The Committee further reports that House Bill No. 2633 was considered, but failed to pass.

STATE GOVERNMENT COMMITTEE

The State Government Committee recommended for passage: House Bills Nos. 2643 and 2454, also House Bills Nos. 2626, 2213, 2590 and 2312 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bills Nos. 2371 and 2015 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

The Committee also transmitted the following to the Government Operations Committee for review: House Bills Nos. 1565 and 2087 with amendments.

The Committee also transmitted the following to the Criminal Justice Committee: House Bill No. 447 with amendments.

The Committee also transmitted the following to the Health Committee: House Joint Resolution No. 730.

TRANSPORTATION COMMITTEE

The Transportation Committee recommended that the following be referred to the Finance, Ways and Means Committee: House Bills Nos. 2361, 1110, 1521 and 1522 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

**REPORT OF DELAYED BILLS COMMITTEE
April 3, 2017**

Pursuant to **Rule No. 77**, we the undersigned members of the Delayed Bills Committee have approved the following bills to be introduced: House Joint Resolution No. 1001 and Senate Joint Resolutions Nos. 593 and 611.

Beth Harwell, Speaker
Glen Casada
Craig Fitzhugh

CONSENT CALENDAR

House Resolution No. 269 -- Memorials, Death - Deputy Sheriff Jerry Dean Farmer. by *Hill T.

House Joint Resolution No. 1014 -- Memorials, Academic Achievement - Jenna Brackett, Valedictorian, Heritage High School. by *Moon.

House Joint Resolution No. 1015 -- Memorials, Academic Achievement - Emilee Grace Bowers, Salutatorian, Heritage High School. by *Moon.

House Joint Resolution No. 1016 -- Memorials, Retirement - Mark S. Freedman. by *Clemmons.

House Joint Resolution No. 1017 -- Memorials, Recognition - Eureka Lodge #3, 144th Anniversary. by *Camper.

House Joint Resolution No. 1018 -- Memorials, Professional Achievement - Karen Franklin, Senator Douglas Henry Award for Service to Children and Families at Risk. by *Pitts.

House Joint Resolution No. 1019 -- Memorials, Recognition - Scott Finney. by *Pitts.

Senate Joint Resolution No. 670 -- Memorials, Recognition - John Yunker, Tiffany King, and Dennis Georgatos of Skanska USA. by *Dickerson.

Senate Joint Resolution No. 836 -- Memorials, Recognition - Hardin Valley Cleanup, 20th anniversary. by *McNally, *Massey.

Rep. Clemmons moved that all members voting aye on House Joint Resolution No. 1016 be added as co-prime sponsors, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Reps. Butt, M. Hill, T. Hill, Holt, Ragan, Reedy and Sherrell.

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Pursuant to **Rule No. 50**, Rep. Dunn moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes	80
Noes.....	0
Present and not voting.....	2

Representatives voting aye were: Beck, Boyd, Brooks H., Brooks K., Butt, Byrd, Calfee, Carr, Carter, Casada, Clemmons, Coley, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matlock, McCormick, McDaniel, Mitchell, Moody, Moon, Pitts, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Sherrell, Smith, Sparks, Stewart, Tillis, Travis, Van Huss, Vaughan, Weaver, White M., Whitson, Williams, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 80

Representatives present and not voting were: Gant, Gravitt -- 2

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "not voting" to "aye" on the **Consent Calendar** and have this statement entered in the Journal: Rep. Staples.

REGULAR CALENDAR

***House Bill No. 1752** -- Alcoholic Beverages - As introduced, designates Gaylord Springs Golf Links as a premier type tourist resort for purposes of consumption of alcoholic beverages on the premises. - Amends TCA Section 57-4-102. by *Jernigan. (SB1907 by *Dickerson, *Harper)

Rep. Jernigan moved that **House Bill No. 1752** be reset for the the Regular Calendar on April 9, 2018, which motion prevailed.

House Bill No. 1704 -- Hotels and Restaurants - As introduced, prohibits a hotel owner or employee from advertising for rent or renting a hotel room for a period of less than seven consecutive hours in a period of 24 hours; authorizes the commissioner of health to assess increasing fines for such rentals and to suspend the owner's permit for a third or subsequent offense. - Amends TCA Title 68, Chapter 14. by *Jernigan. (*SB1631 by *Yarbro)

On motion, House Bill No. 1704 was made to conform with **Senate Bill No. 1631**; the Senate Bill was substituted for the House Bill.

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This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

WEDNESDAY, APRIL 4, 2018 -- SIXTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL VERSION

Rep. Jernigan moved that Senate Bill No. 1631 be passed on third and final consideration.

Rep. Marsh moved that Business and Utilities Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Jernigan moved that **Senate Bill No. 1631** be passed on third and final consideration, which motion failed by the following vote:

Ayes	38
Noes	45

Representatives voting aye were: Beck, Carr, Casada, Clemmons, DeBerry, Eldridge, Faison, Favors, Fitzhugh, Forgety, Gilmore, Hardaway, Hawk, Hazlewood, Holsclaw, Jernigan, Lamberth, Love, Marsh, McCormick, Mitchell, Pitts, Powers, Ramsey, Rudd, Sanderson, Sexton C., Smith, Staples, Stewart, Tillis, Travis, Vaughan, White M., Whitson, Williams, Windle, Wirgau -- 38

Representatives voting no were: Boyd, Brooks H., Butt, Byrd, Calfee, Carter, Coley, Crawford, Curcio, Daniel, Doss, Dunn, Farmer, Gant, Goins, Gravitt, Halford, Hicks, Hill M., Hill T., Holt, Howell, Hulsey, Kane, Keisling, Kumar, Littleton, Lollar, Lynn, Matlock, McDaniel, Moody, Moon, Ragan, Reedy, Rogers, Sargent, Sexton J., Sherrell, Sparks, Terry, Van Huss, Weaver, Zachary, Madame Speaker Harwell -- 45

Senate Bill No. 1631 , having failed to receive a constitutional majority, was thereby re-referred to the Committee on Calendar and Rules.

***House Bill No. 2330** -- Students - As introduced, prohibits the use of corporal punishment against a student with a disability who has an IEP or a Section 504 plan. - Amends TCA Title 49. by *Powell, *Jernigan, *Whitson. (SB2330 by *Kyle)

Rep. Fitzhugh requested that House Bill No. 2330 be moved to the heel of the Calendar, which motion prevailed.

House Bill No. 2331 -- Local Education Agencies - As introduced, requires LEAs to submit annual report to department of education detailing the LEA's use of corporal punishment, specifically including the reason for the punishment and whether the instance involved a student with an IEP or 504 plan; requires the department to report the number of instances of corporal punishment and the number of instances involving a student with an IEP or 504 plan on its website; protects confidentiality of student. - Amends TCA Title 49, Chapter 1; Title 49, Chapter 2 and Title 49, Chapter 6. by *Powell. (*SB1947 by *Crowe)

Rep. Fitzhugh requested that House Bill No. 2331 be moved to the heel of the Calendar, which motion prevailed.

WEDNESDAY, APRIL 4, 2018 -- SIXTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL VERSION

***House Bill No. 2634** -- Physicians and Surgeons - As introduced, clarifies that the required notice to patients when extremely dense breast tissue is discovered must be a written notice given directly to the patient either in person or by mail. - Amends TCA Title 63. by *Kumar, *Ramsey. (SB2704 by *Bowling, *Massey)

On motion, House Bill No. 2634 was made to conform with **Senate Bill No. 2704**; the Senate Bill was substituted for the House Bill.

Rep. Kumar moved that Senate Bill No. 2704 be passed on third and final consideration.

Rep. C. Sexton moved that Health Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Kumar moved that **Senate Bill No. 2704** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	82
Noes	0

Representatives voting aye were: Beck, Boyd, Brooks H., Brooks K., Butt, Byrd, Calfee, Carr, Carter, Casada, Clemmons, Coley, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Kane, Keisling, Kumar, Lamberth, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Mitchell, Moody, Moon, Pitts, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Sherrell, Smith, Sparks, Staples, Terry, Tillis, Travis, Van Huss, Vaughan, Weaver, White M., Whitson, Williams, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 82

A motion to reconsider was tabled.

***House Bill No. 1729** -- TennCare - As introduced, requires the bureau of TennCare to submit an annual report of any cost savings in the medication therapy management program realized as a result of decreases in payments to health care providers to the chairs of the senate health and welfare committee and health committee of the house of representatives by March 1 of each year the pilot program is in operation. - Amends TCA Title 8, Chapter 27 and Title 71, Chapter 5. by *Sexton C., *Kumar. (SB2639 by *Hensley)

Rep. Kumar moved that House Bill No. 1729 be passed on third and final consideration.

Rep. C. Sexton moved adoption of Health Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1729 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 71-5-151, is amended by designating the existing language of the section as subsection (a) and adding the following as new subsections:

(b) In developing or implementing any payment reform initiative involving the use of episodes of care with respect to medical assistance provided under this chapter by the bureau of TennCare or the health care finance and administration (HCFA) of the department of finance and administration, the bureau and HCFA shall not impose a fine or penalty on any provider. The bureau and HCFA may impose withholds in order to recover some portion of costs that exceeds a cost threshold for an episode developed by the initiative. A withhold may not be called a fine or a penalty.

(c)

(1) The bureau of TennCare and the HCFA shall study the means of fair and just implementation of the episodes of care initiatives, especially with respect to costs associated with:

(A) A healthcare facility located in an area that lacks an alternative healthcare facility within a thirty-minute drive;

(B) Lack of more than a single provider of healthcare services for, including, but not limited to, radiology, anesthesia, pathology, or physical therapy; and

(C) Contractual arrangements between the bureau of TennCare, managed care organizations, and other participating providers or healthcare facilities associated with the particular episode of care if such contracts are the cause of increased costs.

(2) No later than January 31, 2019, the bureau of TennCare and HCFA shall report the results of the study conducted pursuant to this subsection (c) to the health and welfare committee of the senate and the health committee of the house of representatives.

SECTION 2. This act shall take effect July 1, 2018, the public welfare requiring it.

On motion, Health Committee Amendment No. 1 was adopted.

Rep. Kumar moved that **House Bill No. 1729**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	84
Noes	0

Representatives voting aye were: Beck, Boyd, Brooks H., Brooks K., Butt, Byrd, Calfee, Carr, Carter, Casada, Clemmons, Coley, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway,

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This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

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Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulse, Jernigan, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Mitchell, Moody, Moon, Pitts, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Sherrell, Smith, Sparks, Staples, Terry, Tillis, Travis, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 84

A motion to reconsider was tabled.

***House Bill No. 1494** -- County Government - As introduced, authorizes a county mayor or the executive of a county to evacuate the county or any portion thereof during a local state of emergency. - Amends TCA Title 38, Chapter 9 and Title 58. by *Carr . (SB2205 by *Swann)

Rep. Carr moved that House Bill No. 1494 be passed on third and final consideration.

Rep. Wirgau moved adoption of Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1494 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 58-8-104, is amended by adding the following new subsections:

(e) If a county mayor or the executive of a county declares a local state of emergency in accordance with subsection (a), the county mayor or the executive of the county may, in the interest of public health, safety, and welfare, issue orders to direct and compel the evacuation of the entire unincorporated area of the county or any portion thereof.

(f) If a mayor or the executive of a municipality or metropolitan government declares a local state of emergency in accordance with subsection (a), the mayor or the executive of the municipality or metropolitan government may, in the interest of public health, safety, and welfare, issue orders to direct and compel the evacuation of the entire incorporated area of the municipality or metropolitan government, or any portion thereof.

(g) A person who willfully violates an order issued under subsection (e) or (f) commits a Class C misdemeanor.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Local Government Committee Amendment No. 1 was adopted.

Rep. Carr moved that **House Bill No. 1494**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	76
Noes.....	2

Representatives voting aye were: Beck, Boyd, Brooks H., Brooks K., Byrd, Calfee, Carr, Casada, Clemmons, Curcio, Daniel, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Howell, Hulsey, Jernigan, Kane, Keisling, Lamberth, Littleton, Lollar, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Mitchell, Moody, Moon, Pitts, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Sherrell, Smith, Sparks, Staples, Stewart, Tillis, Travis, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Williams, Wirgau, Zachary, Madame Speaker Harwell -- 76

Representatives voting no were: Butt, Windle -- 2

A motion to reconsider was tabled.

House Bill No. 1962 -- Motor Vehicles - As introduced, prohibits the expenditure of state funds to implement or enforce electronic logging device regulations in this state. - Amends TCA Title 4; Title 9 and Title 55. by *Carr , *Keisling. (*SB1936 by *Niceley, *Bowling, *Crowe, *Gresham)

On motion, House Bill No. 1962 was made to conform with **Senate Bill No. 1936**; the Senate Bill was substituted for the House Bill.

Rep. Carr moved that Senate Bill No. 1936 be passed on third and final consideration.

Rep. Doss moved that Transportation Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Carr moved that **Senate Bill No. 1936** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	82
Noes.....	2

Representatives voting aye were: Beck, Boyd, Brooks H., Brooks K., Butt, Byrd, Calfee, Carr, Casada, Coley, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Mitchell, Moody, Moon, Pitts, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Sherrell, Smith, Sparks, Staples, Terry, Tillis, Travis, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 82

Representatives voting no were: Clemmons, Hardaway -- 2

A motion to reconsider was tabled.

PRESENT IN CHAMBER

Rep. Powell was recorded as being present in the Chamber.

REGULAR CALENDAR, CONTINUED

***House Bill No. 1597** -- Motor Vehicles - As introduced, enhances the penalty for installing any object in lieu of an airbag that meets federal safety regulations from a Class A misdemeanor to a Class E felony; creates a Class E felony for selling, manufacturing, distributing, or importing a counterfeit supplemental restraint system component, such as an airbag. - Amends TCA Title 39 and Title 55. by *Butt. (SB2583 by *Hensley)

On motion, House Bill No. 1597 was made to conform with **Senate Bill No. 2583**; the Senate Bill was substituted for the House Bill.

Rep. Butt moved that Senate Bill No. 2583 be passed on third and final consideration.

Rep. Doss moved that Transportation Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Butt moved that **Senate Bill No. 2583** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	83
Noes.....	0

Representatives voting aye were: Beck, Boyd, Brooks H., Brooks K., Butt, Byrd, Carr, Carter, Casada, Clemmons, Coley, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Mitchell, Moody, Moon, Pitts, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Sherrell, Sparks, Staples, Terry, Tillis, Travis, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 83

A motion to reconsider was tabled.

***House Bill No. 1822** -- Human Services, Dept. of - As introduced, revises various provisions relative to public assistance. - Amends TCA Title 71, Chapter 1, Part 1; Section 71-3-104; Section 71-3-105; Section 71-5-314 and Section 71-5-316. by *Hawk, *Casada, *Howell, *Boyd, *Gant. (SB2247 by *Norris, *Watson, *Roberts, *Bowling, *Green, *Stevens)

On motion, House Bill No. 1822 was made to conform with **Senate Bill No. 2247**; the Senate Bill was substituted for the House Bill.

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Rep. Howell moved that Senate Bill No. 2247 be passed on third and final consideration.

Rep. C. Sexton moved that Health Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Goins moved that House Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Goins moved adoption of House Amendment No. 3 as follows:

Amendment No. 3

AMEND Senate Bill No. 2247 by deleting SECTION 4 and renumbering the subsequent sections accordingly.

Rep. Howell moved that House Amendment No. 3 be tabled, which motion failed by the following vote:

Ayes	41
Noes.....	42
Present and not voting.....	3

Representatives voting aye were: Beck, Brooks H., Brooks K., Byrd, Carter, Casada, Clemmons, DeBerry, Doss, Dunn, Faison, Favors, Fitzhugh, Forgety, Gilmore, Hardaway, Hawk, Hazlewood, Hicks, Howell, Jernigan, Kumar, Love, Marsh, McCormick, McDaniel, Pitts, Powell, Ramsey, Sargent, Sexton C., Smith, Staples, Stewart, Tillis, Travis, White M., Whitson, Williams, Wirgau, Madame Speaker Harwell -- 41

Representatives voting no were: Boyd, Butt, Calfee, Carr, Coley, Crawford, Daniel, Eldridge, Farmer, Gant, Goins, Halford, Hill M., Hill T., Holsclaw, Holt, Hulsey, Kane, Keisling, Lamberth, Littleton, Lollar, Lynn, Matheny, Matlock, Mitchell, Moody, Moon, Powers, Reedy, Rogers, Sanderson, Sexton J., Sherrell, Sparks, Terry, Van Huss, Vaughan, Weaver, White D., Windle, Zachary -- 42

Representatives present and not voting were: Curcio, Ragan, Rudd -- 3

Rep. Howell moved that **Senate Bill No. 2247** be reset for the the Regular Calendar on April 9, 2018, which motion prevailed.

House Bill No. 2530 -- Alcoholic Beverages - As introduced, designates the Whitestone Country Inn as a premier type tourist resort for the purposes of the on-premises consumption of alcoholic beverages. - Amends TCA Section 57-4-102. by *Calfee. (*SB2075 by *Yager)

Rep. Calfee moved that **House Bill No. 2530** be reset for the the next available Regular Calendar, which motion prevailed.

House Bill No. 2153 -- Food and Food Products - As introduced, reduces, from 60 days after a hearing to 45 days after a hearing, the period in which the commissioner of agriculture must issue an order following a hearing regarding the sanitary conditions in a licensed slaughterhouse or any violations of the Tennessee Meat and Poultry Inspection Act. - Amends TCA Title 43; Title 53 and Title 57. by *Hawk. (*SB2033 by *Niceley, *Southerland, *Yager)

Rep. Hawk moved that House Bill No. 2153 be passed on third and final consideration.

Rep. Halford moved adoption of Agriculture and Natural Resources Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2153 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 53, Chapter 3, Part 1, is amended by adding the following as a new section:

Any milk sold in this state may be labeled as "Local Tennessee Milk", or a statement that indicates the milk is Tennessee milk, if the milk contains only milk produced in this state.

SECTION 2. This act shall take effect July 1, 2018, the public welfare requiring it.

On motion, Agriculture and Natural Resources Committee Amendment No. 1 was adopted.

Rep. Hawk moved that **House Bill No. 2153**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	85
Noes	0

Representatives voting aye were: Beck, Boyd, Brooks H., Brooks K., Butt, Byrd, Calfee, Carr, Carter, Casada, Clemmons, Coley, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Mitchell, Moody, Moon, Pitts, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Sherrell, Smith, Sparks, Staples, Stewart, Terry, Travis, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 85

A motion to reconsider was tabled.

House Bill No. 1905 -- Capitol - As introduced, administratively attaches the David Crockett commission to the department of finance and administration; creates a separate account within the treasury to be used to erect a monument; authorizes state funds to be used to erect a monument. - Amends TCA Title 4, Chapter 8, Part 4. by *Hawk. (*SB1868 by *Southerland)

Rep. Hawk moved that House Bill No. 1905 be passed on third and final consideration.

Rep. Sargent moved adoption of Finance, Ways & Means Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1905 by deleting subsection (a) in Section 2 and substituting instead the following:

(a) The monument or statue of David Crockett may be erected using a combination of state and private funds. However, it is the general assembly's intent that any available private funding is used to the full extent possible and that no state funds shall be used for such project until all private funding is exhausted.

On motion, Finance, Ways & Means Committee Amendment No. 1 was adopted.

Rep. Hawk moved that **House Bill No. 1905**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 86
Noes..... 0

Representatives voting aye were: Beck, Boyd, Brooks H., Brooks K., Butt, Byrd, Calfee, Carr, Carter, Casada, Clemmons, Coley, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Hulsey, Jernigan, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Mitchell, Moody, Moon, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Sherrell, Smith, Sparks, Staples, Stewart, Terry, Tillis, Travis, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 86

A motion to reconsider was tabled.

House Bill No. 2161 -- Industrial Development - As introduced, extends allocation of certain funds to Four Lake regional industrial development authority from fiscal year 2017-2018 to 2023-2024. - Amends TCA Section 67-9-102. by *Keisling. (*SB2024 by *Haile)

Rep. Keisling moved that House Bill No. 2161 be passed on third and final consideration.

Rep. Wirgau moved adoption of Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2161 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 67-9-102(b)(3)(D), is amended by deleting the subdivision and substituting instead the following:

(D) If, in any fiscal year, there are funds remaining after the allocation provided for in this subdivision (b)(3) and subdivisions (b)(1) and (2), then any remaining funds shall be allocated to the Tennessee central economic authority created by § 64-5-101, which has acquired a former nuclear site from the Tennessee valley authority. The commissioner of revenue shall determine each fiscal year the funds remaining after all prior authorized distributions have been made and allocate those funds to the Tennessee central economic authority. The funds shall be used to construct roads, install water and wastewater facilities, and provide other public infrastructure to assist in the development of the sites and other land as regional industrial/business and job incubator facilities consistent with regional development plans. If, in any fiscal year, the total amount of funds allocated is less than the total amount of funds available, any remaining funds shall be distributed in the same manner as the funds in subsection (a). If, in any fiscal year beginning with the 2008-2009 fiscal year and ending in the 2023-2024 fiscal year, the amount allocated to the Tennessee central economic authority under this subdivision (b)(3)(D) falls below ten percent (10%) of the total of the impact funds, then the Tennessee central economic authority shall receive, from the funds paid to or retained by this state under § 67-9-101(a)(1), an amount sufficient to raise the payment to the Tennessee central economic authority to an amount equal to ten percent (10%) of the total of the impact funds, to the extent that the payment can be made without reducing the amount paid to or retained by this state under § 67-9-101(a)(1) below the amount paid to or retained by the state in fiscal year 2007-2008.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Local Government Committee Amendment No. 1 was adopted.

Rep. Keisling moved that **House Bill No. 2161**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 84
Noes..... 1

Representatives voting aye were: Beck, Boyd, Brooks H., Brooks K., Butt, Byrd, Calfee, Casada, Clemmons, Coley, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel,

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Mitchell, Moody, Moon, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Sherrell, Smith, Sparks, Staples, Stewart, Terry, Tillis, Travis, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 84

Representatives voting no were: Hardaway -- 1

A motion to reconsider was tabled.

***House Bill No. 1589** -- General Assembly - As introduced, allows for any copy of a report required to be filed with the legislative reference and law library being sent electronically. - Amends TCA Title 2 and Title 3. by *Vaughan. (SB1737 by *Kelsey)

Rep. Vaughan moved that House Bill No. 1589 be passed on third and final consideration.

Rep. Ramsey moved adoption of State Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1589 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 2-5-101(g)(1), is amended by adding the following new subdivisions (D) and (E) and redesignating the current subdivisions (D) and (E) and remaining subdivisions accordingly:

(D) Withdraws because such candidate is a candidate for general assembly and is no longer a qualified voter of the district;

(E) Withdraws because such candidate is a candidate for general assembly and is qualifying for another office to which a withdrawal or vacancy occurred and required an election to be held at the same time;

SECTION 2. Tennessee Code Annotated, Section 2-13-204, is amended by adding the following language after the first sentence in subsection (a):

A new nomination may also be made if:

(1) A political party's candidate for general assembly withdraws because such candidate is no longer a qualified voter of the district; or

(2) A political party's candidate for general assembly withdraws because such candidate is qualifying for another office to which a withdrawal or vacancy occurred and required an election to be held at the same time;

SECTION 3. Tennessee Code Annotated, Section 2-13-204(a), is amended by deleting the language "the preceding sentence" and substituting instead the language "this subsection (a)".

SECTION 4. Tennessee Code Annotated, Section 2-14-203, is amended by adding the following language at the end of the section:

If a legislative body elects an interim successor, the legislative body may specify the date the election takes effect for the interim successor to take office and shall notify the chief clerk of the senate or the chief clerk of the house of representatives, as appropriate, of such date.

SECTION 5. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, State Government Committee Amendment No. 1 was adopted.

Rep. Vaughan moved that **House Bill No. 1589** be reset for the the Regular Calendar on April 11, 2018, which motion prevailed.

PRESENT IN CHAMBER

Rep. Jones was recorded as being present in the Chamber.

REGULAR CALENDAR, CONTINUED

***House Bill No. 2420** -- Alcoholic Beverages - As introduced, designates the Granville Resort and Marina in the city of Granville as a premier type tourist resort for the purposes of on-premises consumption of alcoholic beverages. - Amends TCA Section 57-4-102. by *Towns, *Windle, *Williams, *Weaver. (SB2682 by *Bailey)

Rep. Windle moved that **House Bill No. 2420** be reset for the the Regular Calendar on April 9, 2018, which motion prevailed.

***House Bill No. 2665** -- Election Laws - As introduced, prescribes procedure for paper ballots in counties using optical scan voting systems and procedure for provisional ballots. - Amends TCA Section 2-7-114(c). by *Carter. (SB2638 by *Watson)

On motion, House Bill No. 2665 was made to conform with **Senate Bill No. 2638**; the Senate Bill was substituted for the House Bill.

Rep. Carter moved that Senate Bill No. 2638 be passed on third and final consideration.

Rep. Wirgau moved that Local Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Carter moved that **Senate Bill No. 2638** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 85
Noes 0

Representatives voting aye were: Beck, Boyd, Brooks H., Brooks K., Butt, Byrd, Calfee, Carr, Carter, Casada, Clemmons, Coley, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Mitchell, Moody, Moon, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Sherrell, Smith, Sparks, Staples, Stewart, Terry, Tillis, Travis, Van Huss, Vaughan, Weaver, White D., White M., Williams, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 85

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "not voting" to "aye" on **Senate Bill No. 2638** and have this statement entered in the Journal: Rep. Hazlewood.

REGULAR CALENDAR, CONTINUED

***House Bill No. 2021** -- Forfeiture of Assets - As introduced, enacts the "U.S. Attorney General Edwin Meese Civil Asset Forfeiture Reform Act." - Amends TCA Title 40, Chapter 33, Part 2. by *Carter, *Sparks. (SB1987 by *Gardenhire)

Rep. Carter moved that House Bill No. 2021 be passed on third and final consideration.

Rep. Lamberth moved adoption of Criminal Justice Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2021 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 40-33-203, is amended by adding the following language as a new subsection (e):

(1) After the seizure of any personal property subject to forfeiture pursuant to § 40-33-201, where the owner of the property is not present at the

time of the seizure, regardless of whether an arrest has been made, the seizing officer shall, within five (5) business days of the date of seizure, mail to the owner by return receipt requested mail, at the owner's last known address as determined from public records of titles, registrations, or other recorded documents or information provided by the person in possession, a notice entitled "Notice of Forfeiture Warrant Hearing". The notice shall contain the following:

(A) The date, time, and court in which the seizing officer will be seeking a forfeiture warrant against the property pursuant to § 40-33-204;

(B) A statement that the owner is entitled to appear in court at the stated date and time to contest the issuance of a forfeiture warrant against the seized property and that this hearing shall be civil in nature pursuant to § 40-33-204(b);

(C) A statement that if the owner does not appear in court, a forfeiture warrant may be issued and the property subject to the forfeiture process set forth in title 40, chapter 33, part 2, and as stated in the Notice of Seizure; and

(D) A copy of the Notice of Seizure.

(2) If an owner cannot be determined from public records of titles, registrations, or other recorded documents or information provided by the person in possession, the officer shall document the attempts made to determine the owner and include the documentation with any application for forfeiture warrant for the judge to review.

SECTION 2. Tennessee Code Annotated, Section 40-33-204(b), is amended by deleting the last sentence of subdivision (b)(2) and substituting instead the following:

Except as provided in subdivision (b)(4), the hearing on the application for a forfeiture warrant shall be ex parte and based upon the application, the affidavit, and any testimony as may be required in this section.

SECTION 3. Tennessee Code Annotated, Section 40-33-204(b), is further amended by redesignating the current subdivision (b)(3) as subdivision (b)(3)(A) and adding the following subdivisions:

(B) The time period for seeking an ex parte forfeiture warrant under subdivision (b)(2) shall not apply to forfeiture warrant hearings under this subdivision (b)(3).

(C) Except as provided in subdivision (b)(4), if the person in possession at the time of the seizure does not appear at the hearing and has received notice of the hearing, then the court shall review the application for a forfeiture warrant ex parte as provided in subdivision (b)(2).

SECTION 4. Tennessee Code Annotated, Section 40-33-204(b)(4), is amended by deleting the subdivision and substituting instead the following language:

(4)

(A) If the owner of the property is not present at the time of the seizure, regardless of whether an arrest is made, the officer making the seizure shall present to the court, at the date and time specified on the notice of forfeiture warrant hearing, the application for a forfeiture warrant, the affidavit in support, the notice of seizure, and the notice of forfeiture warrant hearing for both the person in possession, if no arrest was made, and the owner of the property.

(B) The time period for seeking an ex parte forfeiture warrant under subdivision (b)(2) shall not apply to forfeiture warrant hearings under this subdivision (b)(4).

(C) The owner of the property must be given reasonable notice of the forfeiture warrant hearing; however, a forfeiture warrant hearing under this subdivision (b)(4) shall be held within forty-five (45) days after the date of seizure.

(D) At the hearing on the forfeiture warrant application, the court shall:

(i) Review the application for a forfeiture warrant and the affidavit in support and take testimony from the seizing officer regarding the probable cause to issue a forfeiture warrant, including any testimony as may be required in this section;

(ii) Review any evidence presented by and take testimony from the person in possession at the time of the seizure, if present, regarding why no probable cause exists to issue a forfeiture warrant; and

(iii) Review any evidence presented by and take testimony from the owner of the property, if present, regarding why no probable cause exists to issue a forfeiture warrant.

(E) If neither the person in possession at the time of the seizure, if no arrest was made, nor the owner of the property appear at the hearing and the person in possession and the owner have received notice of the hearing, the court shall review the application for a forfeiture warrant ex parte as provided in subdivision (b)(2).

SECTION 5. Tennessee Code Annotated, Section 40-33-204(b)(5), is amended by deleting the language "the seizing officer and person in possession" and substituting instead the language "the seizing officer, owner of the property, and person in possession".

SECTION 6. Tennessee Code Annotated, Section 40-33-204, is amended by adding the following as a new subsection (k):

(1) The seizing agency shall, within five (5) business days of receipt of any forensic chemistry report regarding any alleged controlled substances or controlled substance analogues that are the basis of the seizure, send a copy of the forensic chemistry report to the applicable agency.

(2) If the forensic chemistry report shows that the alleged controlled substances that are the basis of the seizure are not controlled substances or controlled substance analogues, and those substances were the sole basis for the seizure, the applicable agency, within five (5) business days of receipt, shall submit an order dismissing the case, or the portion of the case based on the alleged controlled substances or controlled substance analogues, to the administrative law judge or the administrative head of the applicable agency.

(3) If the property is not needed for evidence in a criminal proceeding, or is not subject to other forfeiture proceedings, the seizing agency shall make the property available to the owner, as determined from public records of titles, registrations, or other recorded documents, or if the owner cannot be determined, to the person in possession of the property at the time of seizure, within five (5) business days of receipt from the applicable agency of the signed order of dismissal under subdivision (k)(2). A seizing agency that fails to make the property available as required by this subdivision (k)(3) may be considered to be acting in bad faith under § 40-33-215.

SECTION 7. Tennessee Code Annotated, Section 40-33-204(j)(2), is amended by deleting the language and substituting instead the following:

Notwithstanding subsection (g), if a forfeiture warrant was issued by a magistrate or judicial commissioner, the warrant, a copy of the affidavit, and the notice of seizure shall be sent to the applicable agency within:

(A) Seven (7) business days after the time period to appeal the forfeiture warrant has ended and no appeal has been filed; or

(B) Seven (7) business days after the general sessions judge has affirmed the issuance of the forfeiture warrant, if the warrant was appealed.

SECTION 8: Tennessee Code Annotated, Section 40-33-204, is further amended by adding the following as a new subsection (l):

(l) In any forfeiture warrant hearing, there shall be a rebuttable presumption that currency seized, for which a person has claimed ownership, is not subject to forfeiture absent evidence to the contrary. The burden to rebut the presumption is on the seizing officer.

SECTION 9. Tennessee Code Annotated, Section 40-33-213, is amended by deleting subsection (d) and substituting instead the following:

3800

(d) The applicable agency shall be represented in the appeal by an attorney who is employed by the applicable agency.

(e) If the reviewing court reverses the final order of the applicable agency and orders the return of seized property, the court shall also order the payment of attorney's fees incurred during the administrative proceeding, in the same manner provided and subject to the limits found in § 40-33-217, and any reasonable attorney's fees incurred during the appeal.

SECTION 10. Tennessee Code Annotated, Title 40, Chapter 33, Part 2, is amended by adding the following language as a new section:

40-33-217.

(a) Upon entering an initial order which includes a return of property, in whole or in part, the administrative law judge shall also include an award of attorney's fees against the seizing agency subject to the limits in subsection (c).

(b) No award of attorney's fees against a seizing agency shall be entered when the initial order is the result of a settlement between the parties.

(c) No award of attorney's fees under this section shall exceed the lesser of the following, as may be applicable to the case:

(1) Twenty-five percent (25%) of the National Automobile Dealers Association rough trade-in value of any motor vehicle seized and returned;

(2) Twenty-five percent (25%) of the value of any currency seized and returned;

(3) Twenty-five percent (25%) of the reasonable replacement value of any miscellaneous personal property seized and returned;

(4) Three thousand dollars (\$3,000); or

(5) If multiple types of property are returned, a combination of the amounts in subdivisions (c)(1)-(3), provided that the total amount of attorney's fees awarded shall not exceed three thousand dollars (\$3,000).

(d) The award of attorney's fees shall be appealable in the same manner as an initial order under the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

(e) Compensation shall not be awarded to an attorney whose fees are paid under any federally funded legal services program, or any such program funded by the state. However, compensation shall be determined and allowed in accordance with subsection (f) to an attorney employed in a privately or publicly funded nonprofit public interest law firm or corporation if neither the attorney, the

law firm, nor the corporation received, or is entitled to receive, compensation for filing the claim on behalf of the claimant under any federal or state statute or rule other than this section.

(f) Notwithstanding § 4-5-325 or any other law to the contrary, this section shall be the exclusive means for seeking attorney's fees for proceedings conducted under this part. This section does not prohibit a person who files an action pursuant to § 40-33-215 from seeking attorney's fees for that specific action.

(g) For the purposes of this section, "seizing agency" means the agency that issued the Notice of Seizure pursuant to § 40-33-203.

(h) Notwithstanding § 40-33-211, § 53-11-201, or any other law, funds forfeited to a seizing agency under this part may be used to pay attorney's fees ordered under this section.

SECTION 11. Section 9 of this act shall take effect January 1, 2019, the public welfare requiring it. All other sections shall take effect October 1, 2018, the public welfare requiring it.

On motion, Criminal Justice Committee Amendment No. 1 was adopted.

Rep. Lamberth moved the previous question, which motion prevailed.

Rep. Carter moved that **House Bill No. 2021**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 88
Noes..... 0

Representatives voting aye were: Beck, Boyd, Brooks H., Brooks K., Butt, Byrd, Calfee, Carr, Carter, Casada, Clemmons, Coley, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulse, Jernigan, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Mitchell, Moody, Moon, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Sherrell, Smith, Sparks, Staples, Stewart, Terry, Tillis, Travis, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 88

A motion to reconsider was tabled.

***House Bill No. 1856** -- Adoption - As introduced, extends from 30 days to 35 days the period of advance notice that licensed child-placing agencies and licensed clinical social workers must provide to the department of children's services before changing the fees charged for services provided to adoptive parents. - Amends TCA Title 36 and Title 37, Chapter 5. by *Carter. (SB1851 by *Haile)

Rep. Carter moved that House Bill No. 1856 be passed on third and final consideration.

Rep. Farmer moved adoption of Civil Justice Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1856 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 36-1-102(1)(A)(i), is amended by deleting the language "proceeding or pleading" and substituting instead the language "proceeding, pleading, petition, or any amended petition".

SECTION 2. Tennessee Code Annotated, Section 36-1-102(1), is amended by deleting the words "willful" and "willfully" wherever they appear and by adding the following new subdivision:

() For purposes of this subdivision (1), it shall be a defense to abandonment for failure to visit or failure to support that a parent or guardian's failure to visit or support was not willful. The parent or guardian shall bear the burden of proof that the failure to visit or support was not willful. Such defense must be established by a preponderance of evidence. The absence of willfulness is an affirmative defense pursuant to Rule 8.03 of the Tennessee Rules of Civil Procedure;

SECTION 3. Tennessee Code Annotated, Section 36-1-102(1)(A)(ii), is amended by deleting the subdivision and substituting instead the following:

(ii)

(a) The child has been removed from the home or the physical or legal custody of a parent or parents or guardian or guardians by a court order at any stage of proceedings in which a petition has been filed in the juvenile court alleging that a child is a dependent and neglected child, and the child was placed in the custody of the department or a licensed child-placing agency;

(b) The juvenile court found, or the court where the termination of parental rights petition is filed finds, that the department or a licensed child-placing agency made reasonable efforts to prevent removal of the child or that the circumstances of the child's situation prevented reasonable efforts from being made prior to the child's removal; and

(c) For a period of four (4) months following the physical removal, the department or agency made reasonable efforts to assist the parent or parents or the guardian or guardians to establish a suitable home for the child, but that the parent or parents or the guardian or guardians have not made reciprocal reasonable efforts to provide a suitable home and have demonstrated a lack of concern for the child to such a degree that it appears unlikely that they will be able to provide a suitable home for the

child at an early date. The efforts of the department or agency to assist a parent or guardian in establishing a suitable home for the child shall be found to be reasonable if such efforts equal or exceed the efforts of the parent or guardian toward the same goal, when the parent or guardian is aware that the child is in the custody of the department;

SECTION 4. Tennessee Code Annotated, Section 36-1-102(1)(D), is amended by inserting the following language immediately preceding the semicolon at the end of the subdivision:

. That the parent had only the means or ability to make small payments is not a defense to failure to support if no payments were made during the relevant four-month period

SECTION 5. Tennessee Code Annotated, Section 36-1-102(1)(E), is amended by inserting the following language immediately preceding the semicolon at the end of the subdivision:

. That the parent had only the means or ability to make very occasional visits is not a defense to failure to visit if no visits were made during the relevant four-month period;

SECTION 6. Tennessee Code Annotated, Section 36-1-102(44), is amended by deleting the language "cousins of the first degree" and substituting instead the language "cousins of the first degree, or first cousins once removed,".

SECTION 7. Tennessee Code Annotated, Section 36-1-113, is amended by redesignating subdivisions (d)(3)(A)(iv) and (v) as new subdivisions (d)(2)(E) and (F) respectively and by deleting the remainder of subdivision (d)(3)(A) and substituting instead the following:

(A) The petition, or allegations in the adoption petition, shall contain a verified statement that:

(i) The putative father registry maintained by the department has been consulted within ten (10) working days of the filing of the petition and shall state whether there exists any claim on the registry to the paternity of the child who is the subject of the termination or adoption petition;

(ii) Any putative father registry maintained by another state in which the child was born has been consulted within ten (10) working days of the filing of the petition and shall state whether there exists any claim on that registry to the paternity of the child who is the subject of the termination or adoption petition; and

(iii) If the petitioner knows or has reason to believe that the mother was living or present in another state at the time of the child's conception, any putative father registry maintained by that state has been consulted within ten (10) working days of the filing of the petition and shall

state whether there exists any claim on that registry to the paternity of the child who is the subject of the termination or adoption petition.

SECTION 8. Tennessee Code Annotated, Section 36-1-116(b)(13)(A), is amended by deleting the language "putative father registry within ten (10)" and substituting instead the language "Tennessee putative father registry and the putative father registry of any other state required by § 36-1-113(d)(3)(A) within ten (10)".

SECTION 9. Tennessee Code Annotated, Section 36-1-113(d)(3)(C)(i), is amended by deleting the subdivision and substituting instead the following:

(i) The petition or request for termination in the adoption petition, if granted, shall have the effect of forever severing all of the rights, responsibilities, and obligations of the parent or parents or the guardian or guardians to the child who is the subject of the order, and of the child to the parent or parents or the guardian or guardians;

SECTION 10. Tennessee Code Annotated, Section 36-1-113(g)(3), is amended by deleting the subdivision and substituting instead the following:

(3)

(A) The child has been removed from the home or the physical or legal custody of a parent or guardian for a period of six (6) months by a court order entered at any stage of proceedings in which a petition has been filed in the juvenile court alleging that a child is a dependent and neglected child, and:

(i) The conditions that led to the child's removal still persist, preventing the child's safe return to the care of the parent or guardian, or other conditions exist that, in all reasonable probability, would cause the child to be subjected to further abuse or neglect, preventing the child's safe return to the care of the parent or guardian;

(ii) There is little likelihood that these conditions will be remedied at an early date so that the child can be safely returned to the parent or guardian in the near future; and

(iii) The continuation of the parent or guardian and child relationship greatly diminishes the child's chances of early integration into a safe, stable, and permanent home.

(B) The six (6) months must accrue on or before the first date the termination of parental rights petition is set to be heard.

SECTION 11. Tennessee Code Annotated, Section 36-1-113(g)(4), is amended by deleting the subdivision and substituting instead the following:

(4) The parent or guardian has been found to have committed severe child abuse, as defined in § 37-1-102, under any prior order of a court or is found

by the court hearing the petition to terminate parental rights or the petition for adoption to have committed severe child abuse against any child;

SECTION 12. Tennessee Code Annotated, Section 36-1-113(g)(14), is amended by deleting the language "A legal parent" and substituting instead the language "A parent".

SECTION 13. Tennessee Code Annotated, Section 36-1-114, is amended by deleting subdivision (3) and adding the following new subdivisions:

(3) Where, at the time the petition is filed, any respondent resides;

(5) Where the child became subject to the care and control of a public or private child-caring or child-placing agency; or

(6) Where the child became subject to partial or complete guardianship or legal custody of the petitioners as provided in this part.

SECTION 14. Tennessee Code Annotated, Section 36-1-115, is amended by deleting subsections (d) and (e) and substituting instead the following:

(d) The petitioner or petitioners shall live and maintain their regular place of abode in this state when the adoption petition is filed. Nonresidents may also file a petition to adopt a child in this state, if they file such petition in the county where a court granted the nonresidents partial or complete guardianship of the child.

(e) If one (1) or both of petitioners is an active duty service member in the United States military, the service member and any co-petitioner with the service member may file a petition for adoption in this state without actual residency in this state, if the service member has lived, or maintained a regular place of abode, within this state for six (6) consecutive months immediately prior to entering military service or if this state is the service member's state of legal residence as identified to the United States military.

SECTION 15. Tennessee Code Annotated, Section 36-1-116(a)(1), is amended by deleting the word "may" wherever it appears in the subdivision and substituting instead the word "shall, except as otherwise provided by law," and by adding the following language before the period at the end of the subdivision:

; provided, that the court may waive this requirement when the child is to be adopted by related persons

SECTION 16. Tennessee Code Annotated, Section 36-1-116(b)(1), is amended by deleting the subdivision and substituting instead the following:

(1) The full name of the petitioners; however, initials or a pseudonym may be used to promote the safety of the petitioners or of the child, with permission of the court;

SECTION 17. Tennessee Code Annotated, Section 36-1-113(d)(2), is amended by designating the existing language as subdivision (2)(A) and adding the following new subdivision:

(B) Initials or pseudonyms may be used in the petition in lieu of the full names of the petitioners to promote the safety of the petitioners or of the child, with permission of the court;

SECTION 18. Tennessee Code Annotated, Section 36-1-116(e)(6), is amended by deleting the subdivision and substituting instead the following:

(6) Court filings in adoption actions by public or private agencies or parties, offered as proof of parentage, termination of parental rights, or related to establishment or termination of guardianship, may be reviewed by all parties to the case unless the court grants a protective order. If there is no protective order, the agency that made the filing shall, at the time of the filing, send a paper or encrypted electronic copy of the filing to the attorney for the petitioners. Petitioners' counsel and the court must receive the submission at least two (2) business days prior to the scheduled hearing to finalize the adoption. A protective order may be requested by motion of any party or by the agency that made the filing. A protective order shall be granted upon showing of good cause to restrict the information; such cause shall be proven by a preponderance of evidence. The protective order shall be as narrow as possible while still offering the protections that the court found to be warranted.

SECTION 19. Tennessee Code Annotated, Section 36-1-117(c)(1), is amended by deleting the language "pursuant to § 36-2-318," and substituting instead the language "pursuant to § 36-2-318, as described in § 36-1-113(d)(3)(A),".

SECTION 20. Tennessee Code Annotated, Section 36-1-117(c)(2), is amended by deleting the subdivision.

SECTION 21. Tennessee Code Annotated, Section 36-1-111(a)(2), is amended by deleting the language "When a parental consent is executed," and substituting instead the language "When a parental consent is executed, pursuant to § 36-1-117(g),".

SECTION 22. Tennessee Code Annotated, Section 36-1-111(d)(4), is amended by deleting the subdivision and substituting instead:

(4) No surrender or parental consent shall be valid if the surrendering or consenting party states a desire to receive legal or social counseling until such request is satisfied or withdrawn.

SECTION 23. Tennessee Code Annotated, Section 36-1-111, is amended by deleting subsection (e) in its entirety.

SECTION 24. Tennessee Code Annotated, Section 36-1-111(k)(1)(A), is amended by deleting subdivision (k)(1)(A) and substituting instead the following:

(A) When a person executing a surrender is unable to read, read in the English language, see, or otherwise unable to review and comprehend the surrender form and attachments offered for the person's signature or provided on the person's behalf, the person shall be provided with appropriate and sufficient assistance to make the documents and attachments understandable to the person both before and during the surrender hearing. The accepting party shall be responsible for payment of the cost of such interpreter or assistance if the surrendering party requires such assistance.

SECTION 25. Tennessee Code Annotated, Section 36-1-111(k)(1)(B), is amended by deleting the subdivision and substituting instead the following:

(i) The court, or other persons authorized by this part to accept surrenders, shall personally verify under oath by the surrendering or consenting person who has provided the information required surrender or parental consent process pursuant to this part, that the parent or guardian agrees with the information provided in the forms and attachments and that such person does accept the surrender of the subject child.

(ii) The pre-surrender information forms for the birth parent and accepting party and all required attachments must be attached to the surrender or parental consent when the surrender and acceptance are executed and maintained with the surrender or parental consent form by the court or the court clerk, or person authorized by this part to accept surrenders, and transmitted to the department as otherwise required by this part.

SECTION 26. Tennessee Code Annotated, Section 36-1-111(k), is amended by deleting subdivisions (k)(2), (3), and (4) in their entireties.

SECTION 27. Tennessee Code Annotated, Section 36-1-111(l)(1), is amended by deleting the language "under subdivision (k)(2)(E)" and the language "certified as having been".

SECTION 28. Tennessee Code Annotated, Section 36-1-111(l)(2), is amended by deleting the language "under subdivision (k)(2)(F)" and the language "certified as having been".

SECTION 29. Tennessee Code Annotated, Section 36-1-111(m), is amended by deleting the subsection and substituting instead the following:

(m) Before the surrender is received and before an order of guardianship is entered based upon a parental consent, the person or persons to whom the child is to be surrendered or the persons to whom a parental consent is given, other than the department or a licensed child-placing agency, shall present with the surrender executed in this state or on a Tennessee form at the time of the execution of the surrender or before confirmation of a parental consent by the court, a court report based upon a currently effective or updated home study or preliminary home study conducted by a licensed child-placing agency, a licensed clinical social worker, or the department.

SECTION 30. Tennessee Code Annotated, Section 36-1-111, is amended by deleting subsections (n), (o), (s), and (z) in their entirety.

SECTION 31. Tennessee Code Annotated, Section 36-1-111(w)(4), is amended by deleting the subdivision (w)(4) and substituting instead the following:

(4) The waiver of interest and notice may be executed at any time after the biological mother executes a statement identifying such person as the biological father or possible biological father of the biological mother's child to be born, or at any time after the birth of the child.

SECTION 32. Tennessee Code Annotated, Section 36-1-117(g)(2), is amended by deleting the language "pursuant to § 36-1-111(k), including the question regarding the contact veto required by § 36-1-111(k)(3)" and substituting instead the language "pursuant to § 36-1-111(b)(4)".

SECTION 33. Tennessee Code Annotated, Section 36-1-112(b), is amended by deleting the subsection in its entirety.

SECTION 34. Tennessee Code Annotated, Section 36-1-116(b)(12), is amended by adding the following as a new subdivision:

(C) When a parent uses the procedure for a consent in the adoption of an unrelated child the parent shall also complete the information form from § 36-1-111(b)(4) no later than when the petition is signed and such form shall be filed with the court. In order to confirm a parental consent in the adoption of an unrelated child, the surrender form provided at § 36-1-111(b)(2) shall be modified to reflect applicable law and executed by the same procedure provided for execution of a surrender.

SECTION 35. Tennessee Code Annotated, Section 36-1-124(d), is amended by deleting the subsection in its entirety.

SECTION 36. Tennessee Code Annotated, Section 36-1-108(d)(1), is amended by deleting the language "36-1-111(k)(4)(A)," in its entirety.

SECTION 37. Tennessee Code Annotated, Section 36-1-111(b), is amended by redesignating the current language as subdivision (b)(1) and adding the following new subdivisions:

(2) A surrender form shall be legally sufficient if it contains statements comparable to the "Form of Surrender" set forth in subdivision (b)(3). The information requested on the pre-surrender information forms under subdivisions (b)(4) and (b)(5) shall be collected, to the extent that such information is known to the surrendering or accepting party respectively, on the forms provided in subdivisions (b)(4) and (b)(5) or by a substantially similar method and shall be attached to the surrender form proffered to the judge or officiant for execution.

(3)

TENNESSEE SURRENDER FORM

I, _____ (full name of surrendering party), born _____ (surrendering party's date of birth), sign this surrender to end my parental rights and responsibilities to _____ (full name of child), born _____ (child's date of birth) in _____ (location of child's birth). I am this child's (circle one) mother / father / possible father / guardian.

I surrender my parental rights to and request that this Court give guardianship to _____ (a person/family with a current, approved home study, or a licensed child-placing agency).

_____.

I know I only have three (3) days to change my mind and revoke this decision after I sign this form. This decision may not be changed if I do not revoke this surrender on or before _____ (three days after today, calculated under Tennessee Rule of Civil Procedure 6.01). To revoke, I must sign a revocation form before the Judge or officiant with me now or his or her successor.

I have completed the Surrendering Party Pre-Surrender Information Form. I have provided true and complete answers to all the questions on that form to the best of my knowledge.

I know that I should only sign this form if I want my parental rights terminated. If I want to talk to my own lawyer before I sign this form, I should tell the Judge or other officiant now and this surrender process will stop. I can talk to my lawyer and then decide if I still want to end my parental rights.

If anyone is putting pressure on me to sign this surrender, or trying to make me sign against my will, or has promised me something I value in order to make me want to sign this surrender, I understand that I should tell the Judge or officiant about that before I sign the form. The Judge or officiant will not allow me to be forced to sign this surrender.

No one is pressuring, threatening, or paying me to get me to sign this form. I believe voluntary termination of my parental rights is in the best interest of my child.

By signing below I voluntarily terminate my parental rights and surrender my child to the person(s) or agency listed above.

This _____ day of _____, 20____.

Surrendering Party's Signature

Judge or Officiant Attestation

I interviewed the surrendering party and witnessed execution of the foregoing surrender and as required by T.C.A. § 36-1-111. The surrendering party understands that he/she is surrendering parental rights to this child. There is no reason to believe that this is not a voluntary act.

The Surrendering Party's Pre-Surrender Information Form, the surrendering party's Social and Medical History Form, and if the surrender is to an individual, or individuals, as opposed to an agency, the individual's, or individuals', court report based upon a current and approved home study are attached to this form. The Pre-Surrender Information Form and Social and Medical History Form are properly verified by a notary or I reviewed the information with the surrendering party and he/she has attested before me to the correctness of those forms.

This _____ day of _____, 20____.

Judge or Officiant's Signature

Name and Title: _____

Court or Employing Institution and Location: _____

ACCEPTANCE BY AGENCY or PROSPECTIVE ADOPTIVE PARENT(S)

I/We _____ and
_____ individually or I,
_____, on behalf of the licensed
child-placing agency, _____, hereby accept
the surrender of _____ (child) from
_____ (surrendering party) and plan to adopt the
surrendered child or for an agency, expect and intend to place this child for
adoption with an appropriate family. I/We or the undersigned agency have
physical custody of this child or will have physical custody upon discharge of this
child from a healthcare facility. I/We or the undersigned agency agree(s) to
assume responsibility for obtaining guardianship of the surrendered child through
a court order within thirty (30) days of the date of the surrender. I/We or the
undersigned agency agree(s), to be responsible for the care, custody, financial
support, medical care, education, moral, and spiritual training of this child,
pending an adoption.

I/We have completed the Accepting Party's Pre-Acceptance Information Form. The information provided in that form is true and to the best of my/our knowledge.

This____ day of _____, 20____.

Signature of Prospective Adoptive Parent

Signature of Prospective Adoptive Parent

Signature of Agency Representative and Title

Judge or Officiant Attestation

I interviewed the accepting parties and witnessed execution of the foregoing acceptance.

The Accepting Party's Pre-Acceptance Information Form and any accepting individual's/individuals' court report based upon a current and approved home study are attached to this form. The Accepting Party's Pre-Acceptance Information Form is properly verified by a notary or I reviewed the information with the accepting parties and they have attested before me to the correctness of the form.

This _____ day of _____, 20____.

Judge or Officiant's Signature

Name _____ and
Title: _____

Court or Employing Institution and Location:

(4)

SURRENDERING PARTY'S PRE-SURRENDER INFORMATION FORM

STATE OF _____

COUNTY OF _____

Being duly sworn according to law, affiant would state:

1. I am:

a. Mother _____

(Date of Birth) _____ or

b. Father: _____

(Date of Birth) _____ or

c. Legal Guardian: _____

(Date of Birth) _____ of:

2.

a. _____ Child's _____ Name

b. _____ Child's _____ Date _____ of _____ Birth

c. _____ Child's _____ Place _____ of _____ Birth

d. _____ Child's _____ Sex

e. _____ Child's _____ Race

3. This child was born in wedlock ☐ / out of wedlock ☐ / in wedlock but the mother's husband is not the child's biological father ☐.

4. State the names and relationships of any other legal parents, putative fathers, and legal guardians for this child:

a.

(1) _____ Name

—

(2) _____ Relationship to the child

(3) Address _____

(4) _____ City, State, Zip

(5) _____ Telephone Number:
Home: _____ Work: _____

(6) Other identifying information concerning the above identified other legal or
biological parent/legal guardian.

b.

(1) _____ Name

—

(2) _____ Relationship to the child

(3) _____ Address

—

(4) _____ City, State, Zip

(5) _____ Telephone Number:
Home: _____ Work: _____

(6) Other identifying information concerning the above identified other legal or
biological parent/legal guardian.

5. If the above named parties' whereabouts are unknown, please describe why
that _____ is _____ the
case: _____

—

6. Is the child or surrendering parent or another legal parent of the child a member of a federally recognized American Indian or Alaskan Native tribe? _____

If "yes," please provide the name and address of the tribe, all available information regarding the tribal membership, including a membership number if there is one, or the basis for the belief that one may be a tribal member. If there is a tribal membership card or tribal enrollment document please provide a copy by _____ attaching _____ it _____ to _____ this _____ form.

7.

a. Will this child be sent out of Tennessee to another state for adoption?

Yes ☐ No ☐

b. If yes, name of state: _____

8. Have you been paid, received, or promised any money or other remuneration or thing of value in connection with the birth of the above-named child or placement of this child for adoption?

Yes ☐ No ☐ If no, go to #10.

If yes, please list the amount paid, to whom the payment was made, whom made the payment, when was the payment made, and for what purpose the payment was _____ made:

9. Does the child own any real or personal property? Yes ☐ No ☐. If yes, please describe property, its value, and any relevant circumstances:

10.

a. I currently have (____) legal, (____) physical, or (____) legal and physical custody of the child.

b. If someone else has legal or physical custody of the child, please identify the person or agency that holds custody of the child and whether they have legal custody, physical custody, or both.

For a custodian, other than the surrendering party, please list the custodians:

Custodian(s)

Street

City _____, State _____,
Zip _____

Telephone _____ Number: _____ Home: _____
Work: _____

11.

a. There may be state assistance- money, classes, health insurance, food aid and such, available to help you if you parent the child yourself.

b. There is counseling available if you want to talk to a counselor about your choice before you sign a surrender form.

c. You can talk to a lawyer who only represents you, if you want to, before you sign a surrender form.

Do you understand that all these things are available? Yes ☐ No ☐

12. Contact Veto.

I understand that information about who I am, where I live, my social and medical history and other similar information will be available to the adopted person when he/she is 21 years old or older if the adopted person asks for the information. Identifying information about me will not be released if I am the victim of rape or incest and that fact is known to DCS and I have not consented to release of the information. Even if the adopted person obtains information about me, I understand that I may direct that the adopted person not be allowed to contact me by registering a "contact veto" on this form or separately with the Tennessee Department of Children's Services at:

Contact Veto Registry

Post Adoption Unit

Tennessee Department of Children's Services

315 Deaderick Street

USB Tower, 9th Floor

Nashville, TN 37243

I may also change my previously expressed direction regarding contact at the same address. If I am contacted in violation of a contact veto, the adopted person will be guilty of a Class B misdemeanor and I can sue them for injunctive relief and compensatory and putative damages and attorney's fees.

a. Do you want to register a contact veto in order to prevent the adopted person from contacting you in the future? Yes ☐ NO ☐.

b. If identifying information about you is going to be released to the adopted person do you want to be notified before the information is released? Yes ☐ No ☐.

c. Please supply a permanent address and telephone number for the Department to use to consult

with you regarding release of information about you to the adopted person:

d. Please describe any other directions regarding future contact and or any information you want passed on to the adopted person:

FURTHER, AFFIANT SAITH NOT.

This the _____ day of _____ 20 _____.

Signature: Biological ☐ Legal ☐ Mother

Biological ☐ Legal ☐ Father _____

Legal Guardian _____ of

Name of Child

Sworn to and subscribed before me this the ____ day of _____, 20____.

Notary Public

My commission expires: _____

(A notary is necessary if information on this form is not reviewed by and
acknowledged before a Judge or officiant.)

(5)

ACCEPTING PARTY'S PRE-ACCEPTANCE INFORMATION FORM

STATE OF _____

COUNTY OF _____

Being duly sworn affiants would state:

1.

a. I am _____, Prospective Adoptive
Parent.

b. Prospective Adoptive Parent's Date of Birth

c. Prospective Adoptive Parent's Place of Birth

d. Prospective Adoptive Parent's Marital Status

2.

a. I am _____, Prospective Adoptive
Parent.

b. Prospective Adoptive Parent's Date of Birth

c. Prospective Adoptive Parent's Place of Birth

d. Prospective Adoptive Parent's Marital Status

3. The following costs have been paid or promised by _____ for activities
involving the placement of this child. (me/us)

Please include, amount paid or promised, to whom, by whom, date paid and type
of service or cost:

4. I am _____,
representative of _____ a
licensed child placing agency with offices at:

5.

a. _____ I/We have physical custody of this child; or

b. _____ I/We will receive physical custody of the child from the parent or legal guardian within five (5) days of this surrender. The affidavit required by T.C.A. § 36-1-111(d)(6) of the custodial parent or guardian to this effect has been presented to the court at this time; or

c. _____ I/We have the right to receive physical custody of the child upon his or her release from a hospital or health care facility, and the affidavit of the custodial parent or guardian to this effect required by T.C.A. § 36-1-111(d)(6) has been presented to the court at this time;

d. _____ Another person or agency currently has physical control of the child. I/We have presented to the court an affidavit of the person or agency required by T.C.A. § 36-1-111(d)(6) which indicates their waiver of right to custody of the child upon entry of a guardianship order pursuant to T.C.A. § 36-1-136(r).

6. Yes ☐ No ☐. I/We have presented to the court a currently effective or updated home study or preliminary home study of my/our home conducted by a licensed child-placing agency, a licensed clinical social worker, or the Tennessee Department of Children's Services as required by Tennessee law. (Not applicable for agency placements)

7.

a. If the child is to be removed from Tennessee for adoption in another state, will there be compliance with the Interstate Compact on the Placement of Children.

Yes ☐ No ☐ Not Applicable ☐.

b. If yes, who will be responsible for preparing and submitting the ICPC package? _____

FURTHER AFFIANT(S) SAITH NOT

This _____ day of _____, 20 _____.

Signature of Prospective Adoptive Parent

Signature of Prospective Adoptive Parent

OR

Signature of Representative of Agency

Name of Agency: _____

Sworn to and subscribed before me this

_____ day of _____, 20_____.

Notary Public

My commission expires: _____

(A notary is necessary if information on this form is not reviewed by and
acknowledged before a Judge or officiant.)

(6)

REVOCATION OF SURRENDER BY A PARENT OR GUARDIAN

STATE OF _____

COUNTY OF _____

Being duly sworn according to law affiant would state:

1. I am:

a. _____ Mother:

b. Father: _____
, or

c. _____ Legal
Guardian: _____, of:

2.

a. _____ Child's Name:

b. _____ Child's Date of Birth:

c. _____ Child's Place of Birth:

d. _____ Child's Sex:

e. _____ Child's Race:

3. On (Date) _____, I executed a surrender of my parental or guardianship rights to the child named in #2 to:

a. _____ Prospective Adoptive Parent(s)

b. _____ Licensed Child-Placing Agency

c. _____ Tennessee Department of Children's Services

4. _____ The surrender was executed before:

(Name of Judge or Officiant)

5. I hereby revoke the surrender of the above-named child.

FURTHER AFFIANT SAITH NOT.

This the _____ day of _____, 20_____.

Signature:

Biological _____ Legal _____ Mother:

Biological _____ Legal _____ Father:

Legal _____ Guardian:

Sworn to and subscribed before me this _____ day of _____
20_____.

This Revocation of Surrender was received by me on the ____ day of
_____, 20_____.

Please
Print: _____

Signature: _____

Judge or Officiant

SECTION 38. This act shall take effect July 1, 2018, the public welfare requiring
it.

On motion, Civil Justice Committee Amendment No. 1 was adopted.

Rep. Carter moved that **House Bill No. 1856**, as amended, be passed on third and final
consideration, which motion prevailed by the following vote:

Ayes 86
Noes..... 0

Representatives voting aye were: Beck, Boyd, Brooks H., Brooks K., Butt, Byrd, Calfee,
Carr, Carter, Casada, Clemmons, Coley, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn,
Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Goins, Gravitt, Halford, Hardaway,
Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Jones, Kane,
Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick,
McDaniel, Mitchell, Moody, Moon, Pitts, Powell, Ragan, Ramsey, Reedy, Rogers, Rudd,
Sanderson, Sargent, Sexton C., Sexton J., Sherrell, Smith, Sparks, Staples, Stewart, Terry,
Tillis, Travis, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Williams, Windle,
Wirgau, Zachary, Madame Speaker Harwell -- 86

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand
from "not voting" to "aye" on **House Bill No. 1856** and have this statement entered in the
Journal: Rep. Powers.

REGULAR CALENDAR, CONTINUED

House Bill No. 1727 -- Eminent Domain - As introduced, revises provisions governing condemned property being offered for sale to the former owner. - Amends TCA Section 29-17-1005. by *Rogers. (*SB1496 by *Haile)

Rep. Rogers moved that House Bill No. 1727 be passed on third and final consideration.

Rep. Farmer moved that Civil Justice Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Sargent moved adoption of Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 2, as follows:

Amendment No. 2

AMEND House Bill No. 1727 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 29-17-1005, is amended by deleting the section and substituting instead the following:

(a) In any case in which a local government exercises the power of eminent domain under this chapter, chapter 16 of this title, or any other law, and the local government determines the property condemned or taken by eminent domain is not used for the purpose or purposes for which it was condemned or for some other authorized public use, or if the local government subsequently decides to sell it within ten (10) years of being condemned or taken, the property shall be first offered for sale to the former property owner or owners from whom the property was condemned or taken.

(b) An agreement to purchase the property for the lesser of the following must be signed by the former property owner or owners within thirty (30) days of receipt of the offer:

(1) The price paid to the former property owner or owners by the local government at the time the local government acquired the property through eminent domain, plus the appraised fair market value of any improvements made to the property after condemnation and an amount equal to the average amount of interest that would have accrued on the amount paid to the former property owner or owners if held in U.S. treasury bonds; or

(2) An amount representing not less than the fair market value of the property as of the date of the purchase agreement.

(c) If the property is not purchased by the former property owner or owners within thirty (30) days or if no former property owner can be found following a good faith effort by the local government to do so, the property shall

be offered for sale in any commercially reasonable manner to the general public for an amount not less than the fair market value, together with costs.

(d)

(1) In any case in which a local government exercises the power of eminent domain under this chapter, chapter 16 of this title, or any other law, for a public use, a former property owner may request from the local government a statement of intent for public use no more than once every twenty-four (24) months following the date of the condemnation.

(2) The statement of intent for public use must state the public use for which the local government intends to use the property and a description of the intended plan for any improvements to the property.

(3) Notwithstanding subdivision (d)(1), if the local government publicly discloses its decision to not use the property for a public use, then a former property owner may immediately request from the local government a new statement of intent for public use.

(e) Rights granted to a former property owner under this section do not transfer to the former property owner's heirs or transfer to any other party.

(f) This section does not apply if compliance is prohibited by federal law.

(g) As used in this section, "local government" means any incorporated city or town, county, or metropolitan government.

SECTION 2. This act shall take effect July 1, 2018, the public welfare requiring it.

On motion, Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 2, was adopted.

Rep. Rogers moved that **House Bill No. 1727**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	84
Noes.....	1

Representatives voting aye were: Beck, Boyd, Brooks H., Brooks K., Butt, Byrd, Calfee, Carr, Carter, Casada, Clemmons, Coley, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Mitchell, Moody, Moon, Pitts, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Sherrell, Smith, Sparks, Staples, Terry, Tillis, Travis, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 84

Representatives voting no were: Stewart -- 1

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "not voting" to "aye" on **House Bill No. 1727** and have this statement entered in the Journal: Rep. Powers.

REGULAR CALENDAR, CONTINUED

***House Bill No. 2325** -- Public Employees - As introduced, requires the district attorneys general conference to report to the general assembly in January of each year with recommendations on combating opiate abuse, including recommended legislation to address law enforcement concerns raised by opioid abuse. - Amends TCA Title 8 and Title 16. by *Keisling. (SB2677 by *Bailey)

Further consideration of House Bill No. 2325, previously considered on March 19, 2018 and April 2, 2018, at which time it was reset for today's Calendar.

Rep. Keisling moved that House Bill No. 2325 be passed on third and final consideration.

Rep. Lamberth moved that Criminal Justice Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Farmer moved that House Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Lamberth moved that House Amendment No. 3 be withdrawn, which motion prevailed.

Rep. Lamberth moved adoption of House Amendment No. 4 as follows:

Amendment No. 4

AMEND House Bill No. 2325 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 8-7-226, is amended by deleting subsection (a) and substituting instead the following:

(a) All assistant district attorneys general hired after July 1, 1994, or reclassified pursuant to § 8-7-201(e)(3), shall be compensated according to the following pay schedule:

Entry level	\$	49,080
-------------	----	--------

3827

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

after one (1) year	52,164
after two (2) years	55,248
after three (3) years	58,344
after four (4) years	61,452
after five (5) years	64,512
after six (6) years	67,596
after seven (7) years	70,704
after eight (8) years	73,812
after nine (9) years	76,872
after ten (10) years	79,968
after eleven (11) years	83,052
after twelve (12) years	86,100
after thirteen (13) years	89,184
after fourteen (14) years	92,256
after fifteen (15) years	95,328
after sixteen (16) years	98,424
after seventeen (17) years	101,220
after eighteen (18) years	103,932
after nineteen (19) years	106,548
after twenty (20) years	109,020
after twenty-one (21) years	112,620
after twenty-two (22) years	116,316
after twenty-three (23) years	120,144
after twenty-four (24) years	124,392

after twenty-five (25) years 128,616.

SECTION 2. Tennessee Code Annotated, Section 8-14-107, is amended by deleting subdivision (b)(1) and substituting instead the following:

(1) A full-time assistant district public defender shall be compensated according to the following pay schedule:

Entry level	\$ 49,080
after one (1) year	52,164
after two (2) years	55,248
after three (3) years	58,344
after four (4) years	61,452
after five (5) years	64,512
after six (6) years	67,596
after seven (7) years	70,704
after eight (8) years	73,812
after nine (9) years	76,872
after ten (10) years	79,968
after eleven (11) years	83,052
after twelve (12) years	86,100
after thirteen (13) years	89,184
after fourteen (14) years	92,256
after fifteen (15) years	95,328
after sixteen (16) years	98,424
after seventeen (17) years	101,220
after eighteen (18) years	103,932
after nineteen (19) years	106,548

after twenty (20) years	109,020
after twenty-one (21) years	112,620
after twenty-two (22) years	116,316
after twenty-three (23) years	120,144
after twenty-four (24) years	124,392
after twenty-five (25) years	128,616.

SECTION 3. Tennessee Code Annotated, Section 8-14-107, is amended by deleting subdivision (c)(1) and substituting instead the following:

Effective March 1, 2018, all full-time district investigators shall be compensated according to the following pay schedule:

Entry level	\$33,852
after two (2) years	\$36,924
after four (4) years	\$39,972
after six (6) years	\$43,032
after eight (8) years	\$46,164
after ten (10) years	\$49,188
after twelve (12) years	\$52,320
after fourteen (14) years	\$55,332
after sixteen (16) years	\$58,428
after eighteen (18) years	\$61,512
after twenty (20) years	\$64,584

SECTION 4. Tennessee Code Annotated, Section 8-7-230, is amended by deleting subsection (a) and substituting instead the following:

All criminal investigators hired after July 1, 1994, shall be compensated according to the following pay schedule:

Entry level	\$33,852
-------------	----------

after two (2) years	\$36,924
after four (4) years	\$39,972
after six (6) years	\$43,032
after eight (8) years	\$46,164
after ten (10) years	\$49,188
after twelve (12) years	\$52,320
after fourteen (14) years	\$55,332
after sixteen (16) years	\$58,428
after eighteen (18) years	\$61,512
after twenty (20) years	\$64,584

SECTION 5. Tennessee Code Annotated, Section 8-7-105(a), is amended by adding the following language to the end of the subsection:

On March 1, 2018, the base salary for district attorneys general shall be one hundred fifty-six thousand twenty-four dollars (\$156,024) and shall be adjusted on July 1 to reflect the average percentage pay increase provided for state employees by the general appropriations act.

SECTION 6. Tennessee Code Annotated, Section 8-14-107(a), is amended by deleting the last sentence of the subsection and substituting instead the following:

On March 1, 2018, the base salary for district public defenders shall be one hundred fifty-six thousand twenty-four dollars (\$156,024) and shall be adjusted on July 1 to reflect the average percentage pay increase provided for state employees by the general appropriations act.

SECTION 7. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, House Amendment No. 4 was adopted.

Rep. Keisling moved that **House Bill No. 2325**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 85
Noes..... 0

Representatives voting aye were: Beck, Boyd, Brooks H., Brooks K., Butt, Byrd, Calfee, Carr, Carter, Casada, Clemmons, Coley, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn,

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Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Goins, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Mitchell, Moody, Moon, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Sherrell, Smith, Sparks, Staples, Stewart, Terry, Tillis, Travis, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 85

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "not voting" to "aye" on **House Bill No. 2325** and have this statement entered in the Journal: Rep. Rogers.

REGULAR CALENDAR, CONTINUED

***Senate Bill No. 2343** -- Housing - As introduced, redefines "affordable housing" and "workforce housing" for purposes of specifying types of housing for which a county legislative body is authorized to appropriate funds. - Amends TCA Title 5, Chapter 9. by *Dickerson, *Yarbro. (HB2561 by *Jernigan, *Love, *Gilmore, *Clemmons, *Ramsey, *Hardaway)

Further consideration of Senate Bill No. 2343, previously considered on April 2, 2018, at which time the House substituted the Senate Bill for the House Bill, withdrew Amendment No. 1, and it was reset for today's Calendar.

Rep. Jernigan moved that **Senate Bill No. 2343** be reset for the the Regular Calendar on April 9, 2018, which motion prevailed.

***House Bill No. 2330** -- Students - As introduced, prohibits the use of corporal punishment against a student with a disability who has an IEP or a Section 504 plan. - Amends TCA Title 49. by *Powell, *Jernigan, *Whitson. (SB2330 by *Kyle)

Further consideration of House Bill No. 2330, previously considered on today's Regular Calendar.

Rep. Powell moved that House Bill No. 2330 be passed on third and final consideration.

Rep. H. Brooks moved adoption of Education Administration & Planning Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2330 by deleting the punctuation "." at the end of subdivision (b)(1) in the amendatory language of Section 1 and substituting instead:

; unless an LEA's discipline policy permits the use of corporal punishment and a parent of a child who has a disability permits, in writing, the use of corporal punishment against the parent's child. The written permission must state the type of corporal punishment that may be used and the circumstances in which the use of corporal punishment is permitted. The school's principal must keep the written permission on file at the school. The school's principal must notify the parent any time corporal punishment is used. The school's principal must inform the parent, when the written permission for the use of corporal punishment is submitted, that the parent may revoke the permission to use corporal punishment at any time by giving written notice to the school's principal that corporal punishment may no longer be used against the parent's child who has a disability.

AND FURTHER AMEND by deleting the punctuation "." at the end of subdivision (c)(1) in the amendatory language of Section 2 and substituting instead:

; unless an LEA's discipline policy permits the use of corporal punishment and a parent of a child who has a disability permits, in writing, the use of corporal punishment against the parent's child. The written permission must state the type of corporal punishment that may be used and the circumstances in which the use of corporal punishment is permitted. The school's chief administrative officer must keep the written permission on file at the school. The school's chief administrative officer must notify the parent any time corporal punishment is used. The school's chief administrative officer must inform the parent, when the written permission for the use of corporal punishment is submitted, that the parent may revoke the permission to use corporal punishment at any time by giving written notice to the school's chief administrative officer that corporal punishment may no longer be used against the parent's child who has a disability.

On motion, Education Administration & Planning Committee Amendment No. 1 was adopted.

Rep. Powell moved that **House Bill No. 2330**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	81
Noes.....	1
Present and not voting.....	1

Representatives voting aye were: Beck, Boyd, Brooks H., Brooks K., Butt, Byrd, Calfee, Carr, Carter, Clemmons, Coley, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Goins, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Howell, Hulsey, Jernigan, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, McCormick, McDaniel, Mitchell, Moody, Moon, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Sherrell, Smith, Staples, Stewart, Terry, Tillis, Travis, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madame Speaker Harwell --
81

Representatives voting no were: Rudd -- 1

Representatives present and not voting were: Sparks -- 1

A motion to reconsider was tabled.

House Bill No. 2331 -- Local Education Agencies - As introduced, requires LEAs to submit annual report to department of education detailing the LEA's use of corporal punishment, specifically including the reason for the punishment and whether the instance involved a student with an IEP or 504 plan; requires the department to report the number of instances of corporal punishment and the number of instances involving a student with an IEP or 504 plan on its website; protects confidentiality of student. - Amends TCA Title 49, Chapter 1; Title 49, Chapter 2 and Title 49, Chapter 6. by *Powell. (*SB1947 by *Crowe)

Further consideration of House Bill No. 2331, previously considered on today's Regular Calendar.

Rep. Powell moved that House Bill No. 2331 be passed on third and final consideration.

Rep. H. Brooks moved adoption of Education Administration & Planning Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2331 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 6, Part 41, is amended by adding the following language as a new section:

(a) Beginning with the 2018-2019 school year, each LEA shall submit, at least annually, a report to the department of education detailing the LEA's use of corporal punishment. The report shall include, at a minimum:

(1) The school at which each instance of corporal punishment occurred;

(2) Information regarding the reason for each instance of corporal punishment;

(3) Whether an instance of corporal punishment involved a student with an active individualized education program, and if so, the primary disability category for which the student has an individualized education program; and

(4) Whether an instance of corporal punishment involved a student with an active 504 plan under Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794), and if so, the reason for which the student has a 504 plan.

(b) The report submitted pursuant to this section shall exclude any personally identifiable information and shall be created in accordance with the Family Education Rights and Privacy Act (FERPA), (20 U.S.C. § 1232g), § 10-7-504, and any other relevant state or federal privacy law.

(c) The department shall report on its website the number of instances of corporal punishment in each LEA and the number of instances involving a student with an active individualized education program or an active 504 plan under Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794).

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Education Administration & Planning Committee Amendment No. 1 was adopted.

Rep. Powell moved that **House Bill No. 2331**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	80
Noes.....	1
Present and not voting.....	3

Representatives voting aye were: Beck, Boyd, Brooks H., Brooks K., Butt, Byrd, Calfee, Carr, Carter, Casada, Clemmons, Coley, Crawford, Curcio, Daniel, DeBerry, Doss, Eldridge, Farmer, Favors, Fitzhugh, Forgety, Gant, Goins, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Howell, Hulsey, Jernigan, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Mitchell, Moody, Moon, Pitts, Powell, Powers, Ragan, Ramsey, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Sherrell, Smith, Staples, Stewart, Terry, Tillis, Travis, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 80

Representatives voting no were: Holt -- 1

Representatives present and not voting were: Dunn, Rudd, Sparks -- 3

A motion to reconsider was tabled.

UNFINISHED BUSINESS

CONSENT CALENDAR NO. 2

House Resolution No. 270 -- Memorials, Interns - Courtney Blanchard. by *Forgety.

House Resolution No. 271 -- Memorials, Academic Achievement - Whitney Williams, Valedictorian, Hardin County High School. by *Byrd.

House Resolution No. 272 -- Memorials, Academic Achievement - Whitley Cagle, Salutatorian, Hardin County High School. by *Byrd.

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House Resolution No. 273 -- Memorials, Academic Achievement - Walker Adkisson, Top Ten Senior, Hardin County High School. by *Byrd.

House Resolution No. 274 -- Memorials, Academic Achievement - Joseph Burd, Top Ten Senior, Hardin County High School. by *Byrd.

House Resolution No. 275 -- Memorials, Academic Achievement - John Patrick Davis, Top Ten Senior, Hardin County High School. by *Byrd.

House Resolution No. 276 -- Memorials, Academic Achievement - Madelyn Blankenship, Top Ten Senior, Hardin County High School. by *Byrd.

House Resolution No. 277 -- Memorials, Academic Achievement - Rachel Franks, Top Ten Senior, Hardin County High School. by *Byrd.

House Resolution No. 278 -- Memorials, Academic Achievement - Alyssa Irons, Top Ten Senior, Hardin County High School. by *Byrd.

House Resolution No. 279 -- Memorials, Academic Achievement - Julia Mazanek, Top Ten Senior, Hardin County High School. by *Byrd.

House Resolution No. 280 -- Memorials, Academic Achievement - Laura Lee Parson, Top Ten Senior, Hardin County High School. by *Byrd.

House Resolution No. 281 -- Memorials, Recognition - Joanna Helton, Governor's Volunteer Stars Award. by *Byrd.

House Resolution No. 282 -- Memorials, Recognition - Curtis Peters, Governor's Volunteer Stars Award. by *Byrd.

House Resolution No. 283 -- Memorials, Recognition - DeLaney Timberman, Governor's Volunteer Stars Award. by *Byrd.

House Resolution No. 284 -- Memorials, Recognition - Maicee Burleson, Governor's Volunteer Stars Award. by *Byrd.

House Resolution No. 285 -- Memorials, Recognition - Katy Wright, Governor's Volunteer Stars Award. by *Byrd.

House Joint Resolution No. 1020 -- Memorials, Sports - Lipscomb University men's basketball team. by *Harwell.

House Joint Resolution No. 1023 -- Memorials, Sports - Hamilton High School boys' basketball team, TSSAA Class AA State Champions. by *Akbari.

House Joint Resolution No. 1024 -- Memorials, Academic Achievement - Sydnee Runions, Valedictorian, Wayne County High School. by *Byrd.

House Joint Resolution No. 1025 -- Memorials, Academic Achievement - Aidan Britt, Salutatorian, Wayne County High School. by *Byrd.

WEDNESDAY, APRIL 4, 2018 -- SIXTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL VERSION

House Joint Resolution No. 1026 -- Memorials, Academic Achievement - Sydni McClain, Top Ten Senior, Wayne County High School. by *Byrd.

House Joint Resolution No. 1027 -- Memorials, Academic Achievement - Jaylee Warren, Top Ten Senior, Wayne County High School. by *Byrd.

House Joint Resolution No. 1028 -- Memorials, Academic Achievement - Braden Morris, Top Ten Senior, Wayne County High School. by *Byrd.

House Joint Resolution No. 1029 -- Memorials, Academic Achievement - John Austin Skelton, Top Ten Senior, Wayne County High School. by *Byrd.

House Joint Resolution No. 1030 -- Memorials, Academic Achievement - Brittany Gobbell, Top Ten Senior, Wayne County High School. by *Byrd.

House Joint Resolution No. 1031 -- Memorials, Academic Achievement - Amelia Williams, Top Ten Senior, Wayne County High School. by *Byrd.

House Joint Resolution No. 1032 -- Memorials, Academic Achievement - Avery Davis, Top Ten Senior, Wayne County High School. by *Byrd.

House Joint Resolution No. 1033 -- Memorials, Academic Achievement - Makenna Vandygriffe, Top Ten Senior, Wayne County High School. by *Byrd.

House Joint Resolution No. 1034 -- Memorials, Academic Achievement - Mahalie Bree Stults, Valedictorian, Collinwood High School. by *Byrd.

House Joint Resolution No. 1035 -- Memorials, Academic Achievement - Jonathan Taylor Keeton, Salutatorian, Collinwood High School. by *Byrd.

House Joint Resolution No. 1036 -- Memorials, Academic Achievement - Maicee Ciara Burleson, Top Ten Senior, Collinwood High School. by *Byrd.

House Joint Resolution No. 1037 -- Memorials, Academic Achievement - Abigail Lynn Dial, Top Ten Senior, Collinwood High School. by *Byrd.

House Joint Resolution No. 1038 -- Memorials, Academic Achievement - Brooklyn Danielle Grimes, Top Ten Senior, Collinwood High School. by *Byrd.

House Joint Resolution No. 1039 -- Memorials, Academic Achievement - Makenlee Grace Hensley, Top Ten Senior, Collinwood High School. by *Byrd.

House Joint Resolution No. 1040 -- Memorials, Academic Achievement - Addison Layne Holt, Top Ten Senior, Collinwood High School. by *Byrd.

House Joint Resolution No. 1041 -- Memorials, Academic Achievement - Chloe Wade Holt, Top Ten Senior, Collinwood High School. by *Byrd.

House Joint Resolution No. 1042 -- Memorials, Academic Achievement - Hayden Elizabeth Lee, Top Ten Senior, Collinwood High School. by *Byrd.

WEDNESDAY, APRIL 4, 2018 -- SIXTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL VERSION

House Joint Resolution No. 1043 -- Memorials, Academic Achievement - Bailey Lynn Pigg, Top Ten Senior, Collinwood High School. by *Byrd.

House Joint Resolution No. 1044 -- Memorials, Academic Achievement - Ian Vaughn Pigg, Valedictorian, Frank Hughes High School. by *Byrd.

House Joint Resolution No. 1045 -- Memorials, Academic Achievement - Morgan Malin Whitfield, Salutatorian, Frank Hughes High School. by *Byrd.

House Joint Resolution No. 1046 -- Memorials, Academic Achievement - Ashlyn Rose Brown, Top Ten Senior, Frank Hughes High School. by *Byrd.

House Joint Resolution No. 1047 -- Memorials, Academic Achievement - Shyanne Lashea Hobbs, Top Ten Senior, Frank Hughes High School. by *Byrd.

House Joint Resolution No. 1048 -- Memorials, Academic Achievement - Dionna LáKia Webb, Top Ten Senior, Frank Hughes High School. by *Byrd.

House Joint Resolution No. 1049 -- Memorials, Academic Achievement - Rachel Lynn Garrard, Top Ten Senior, Frank Hughes High School. by *Byrd.

House Joint Resolution No. 1050 -- Memorials, Academic Achievement - Anna Marie Moyers, Top Ten Senior, Frank Hughes High School. by *Byrd.

House Joint Resolution No. 1051 -- Memorials, Academic Achievement - Alexis Lauren Lineberry, Top Ten Senior, Frank Hughes High School. by *Byrd.

House Joint Resolution No. 1052 -- Memorials, Academic Achievement - Charles Raymond Brashier, Top Ten Senior, Frank Hughes High School. by *Byrd.

House Joint Resolution No. 1053 -- Memorials, Academic Achievement - Jonathan Mason Lineberry, Top Ten Senior, Frank Hughes High School. by *Byrd.

House Joint Resolution No. 1054 -- Memorials, Recognition - Azafran Park. by *Powell, *Love.

House Joint Resolution No. 1055 -- Memorials, Death - Perry Wallace. by *Harwell, *Love.

House Joint Resolution No. 1056 -- Memorials, Recognition - Dawana Watts Boone, Glenn Enhanced Option School 2017-2018 Teacher of the Year. by *Love.

House Joint Resolution No. 1057 -- Memorials, Recognition - Hannah Maurice, Boys and Girls Clubs of Tennessee State Youth of the Year. by *Carr , *Farmer.

House Joint Resolution No. 1058 -- Memorials, Recognition - Charlie Kerns. by *Keisling.

House Joint Resolution No. 1059 -- Memorials, Death - Verda "Buddy" Cope, Jr. by *Keisling.

WEDNESDAY, APRIL 4, 2018 -- SIXTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL VERSION

House Joint Resolution No. 1060 -- Memorials, Sports - Courtney Pritchett, 2017-2018 TSSAA Class A Miss Basketball. by *Keisling.

House Joint Resolution No. 1061 -- Memorials, Death - Autrey Eskew "Sarge" Dye, Sr. by *Keisling.

House Joint Resolution No. 1062 -- Memorials, Sports - Clay County High School boys' basketball team, TSSAA Class A State Tournament Elite Eight. by *Keisling.

House Joint Resolution No. 1063 -- Memorials, Sports - Pickett County High School girls' basketball team, TSSAA Class A State Tournament Elite Eight. by *Keisling.

House Joint Resolution No. 1064 -- Memorials, Sports - Macon County High School girls' basketball team, TSSAA Class AA State Runner-Up. by *Keisling.

Senate Joint Resolution No. 787 -- Memorials, Recognition - Trooper Michael Loftis, Trooper of the Year. by *Bailey.

Senate Joint Resolution No. 788 -- Memorials, Academic Achievement - Annalise M. Wallace, Salutatorian, Cumberland County High School. by *Bailey.

Senate Joint Resolution No. 789 -- Memorials, Academic Achievement - Vasilis Drainas, Valedictorian, Cumberland County High School. by *Bailey.

Senate Joint Resolution No. 790 -- Memorials, Academic Achievement - Clare Kemmer, Salutatorian, Stone Memorial High School. by *Bailey.

Senate Joint Resolution No. 791 -- Memorials, Academic Achievement - Jordan Ann Houston, Valedictorian, Stone Memorial High School. by *Bailey.

Senate Joint Resolution No. 792 -- Memorials, Personal Achievement - Joshua Sonnenmeier, Eagle Scout. by *Southerland.

Senate Joint Resolution No. 793 -- Memorials, Personal Achievement - William Sullivan, Eagle Scout. by *Southerland.

Senate Joint Resolution No. 794 -- Memorials, Recognition - Don Hamilton, Governor's Volunteer Stars Award. by *Southerland.

Senate Joint Resolution No. 795 -- Memorials, Recognition - Cameron Hamilton, Governor's Volunteer Stars Award. by *Southerland.

Senate Joint Resolution No. 796 -- Memorials, Death - Mayor John Coombs. by *Haile.

Senate Joint Resolution No. 797 -- Memorials, Recognition - Lonnie Keith Head. by *Dickerson.

Senate Joint Resolution No. 798 -- Memorials, Recognition - Tom Strate, Silver Beaver Award. by *Southerland.

WEDNESDAY, APRIL 4, 2018 -- SIXTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL VERSION

Senate Joint Resolution No. 799 -- Memorials, Academic Achievement - Jansen Carver, Valedictorian, McClain Christian Academy. by *Pody.

Senate Joint Resolution No. 800 -- Memorials, Sports - Freed-Hardeman University women's basketball team. by *Gresham, *Haile, *Jackson, *Roberts.

Senate Joint Resolution No. 801 -- Memorials, Sports - Dale Neal, Coach of the Year. by *Gresham, *Roberts.

Senate Joint Resolution No. 802 -- Memorials, Retirement - Reverend John Wood. by *Massey, *McNally.

Senate Joint Resolution No. 803 -- Memorials, Recognition - Cathy Dyer. by *Hensley.

Senate Joint Resolution No. 804 -- Memorials, Interns - Allison Wilson. by *Hensley.

Senate Joint Resolution No. 805 -- Memorials, Recognition - Jessica Epley. by *Roberts.

Senate Joint Resolution No. 807 -- Memorials, Public Service - Senator Lee Harris. by *Yarbro, *Kyle, *Bailey, *Bell, *Bowling, *Briggs, *Crowe, *Dickerson, *Gardenhire, *Green, *Gresham, *Haile, *Harper, *Hensley, *Jackson, *Johnson, *Kelsey, *Ketron, *Lundberg, *Massey, *Niceley, *Norris, *Pody, *Reeves, *Roberts, *Southerland, *Stevens, *Swann, *Tate, *Watson, *Yager, *McNally.

Senate Joint Resolution No. 808 -- Memorials, Recognition - Dawn of Hope, 50th Anniversary. by *Crowe, *Massey.

Senate Joint Resolution No. 809 -- Memorials, Interns - Catherine DeBell. by *Crowe.

Senate Joint Resolution No. 810 -- Memorials, Academic Achievement - Mallory Skye Owens, Salutatorian, Macon County High School. by *Pody.

Senate Joint Resolution No. 811 -- Memorials, Academic Achievement - Kammie Marie Yates, Valedictorian, Macon County High School. by *Pody.

Senate Joint Resolution No. 812 -- Memorials, Sports - Hamilton High School boys' basketball team, TSSAA Class AA State Champions. by *Tate.

Senate Joint Resolution No. 813 -- Memorials, Death - Nell Juanita Rogers Atkeison. by *Gresham.

Senate Joint Resolution No. 814 -- Memorials, Death - Dwana Pusser Garrison. by *Gresham, *Bailey, *Bell, *Bowling, *Briggs, *Crowe, *Dickerson, *Gardenhire, *Green, *Haile, *Harper, *Harris, *Hensley, *Jackson, *Johnson, *Kelsey, *Ketron, *Kyle, *Lundberg, *Massey, *Niceley, *Norris, *Pody, *Reeves, *Roberts, *Southerland, *Stevens, *Swann, *Tate, *Watson, *Yager, *Yarbro, *McNally.

Senate Joint Resolution No. 815 -- Memorials, Death - Herbert Ray Myers. by *Gresham.

Senate Joint Resolution No. 816 -- Memorials, Death - Doyle Murphy. by *Gresham.

Rep. Coley moved that Rep. Coley be added as co-prime sponsor on House Joint Resolution No. 1023, which motion prevailed.

Rep. Love moved that all members of the Davidson County delegation be added as co-prime sponsors on House Joint Resolution No. 1055, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Reps. Butt, M. Hill, T. Hill, Holt, Ragan, Reedy and Sherrell.

Pursuant to **Rule No. 50**, Rep. Dunn moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes	83
Noes.....	0

Representatives voting aye were: Beck, Boyd, Brooks H., Brooks K., Butt, Byrd, Calfee, Carr, Carter, Casada, Clemmons, Coley, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Mitchell, Moody, Moon, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Sherrell, Smith, Sparks, Staples, Terry, Tillis, Travis, Vaughan, Weaver, White D., White M., Whitson, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 83

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "not voting" to "aye" on **Consent Calendar No. 2** and have this statement entered in the Journal: Rep. Williams.

CLERK'S NOTE TO THE JOURNAL

Pursuant to **Rule No. 20**, Rep. Shaw was excused from Session on Wednesday, April 4, 2018.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 571 Reps. Howell, Littleton, Forgety and Curcio as prime sponsors.

House Bill No. 1589 Rep. M. White as prime sponsor.

House Bill No. 1704 Reps. Hardaway, Beck and M. White as prime sponsors.

House Bill No. 1822 Reps. Carter and M. White as prime sponsors.

House Bill No. 1973 Rep. Butt as prime sponsor.

House Bill No. 2129 Rep. Tillis as prime sponsor.

House Bill No. 2248 Rep. Ramsey as prime sponsor.

House Bill No. 2315 Rep. M. White as prime sponsor.

House Bill No. 2513 Rep. Cooper as prime sponsor.

House Bill No. 2550 Rep. Moody as prime sponsor.

SPONSORS REMOVED

On Motion, Rep. Towns was removed as sponsor of **House Bill No. 2420**.

**ENGROSSED BILLS
April 4, 2018**

MADAM SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Bill No. 2153;

GREG GLASS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE
April 4, 2018**

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill No. 1560; The Senate nonconcurred in House Amendment No(s). 1

RUSSELL A. HUMPHREY, Chief Clerk

**ENGROSSED BILLS
April 4, 2018**

MADAM SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Bill No. 2331;

GREG GLASS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE
April 4, 2018**

MADAM SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 729, 872, 905, 912, 915, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983 and 994; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE GOVERNOR
April 4, 2018**

MADAM SPEAKER: I am directed by the Governor to return herewith: House Bill No. 2697; with his approval.

DWIGHT E. TARWATER, Legal Counsel to the Governor

**MESSAGE FROM THE SENATE
April 4, 2018**

MADAM SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 1386, 1596, 1618, 1690, 1697, 1736, 1796, 1921, 1927, 2002, 2064, 2066, 2068, 2174, 2210, 2243, 2248, 2255, 2260, 2306, 2461 and 2524; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
April 4, 2018**

MADAM SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 367, 647, 1572, 1879, 2049, 2067, 2196 and 2420; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

***Senate Bill No. 367** -- Insurance, Health, Accident - As introduced, requires health insurance coverage to cover hypofractionated proton therapy in the same manner as it covers intensity modulated radiation therapy under certain conditions. - Amends TCA Title 8; Title 56 and Title 71. by *Green, *Massey, *Swann, *Bowling, *Crowe. (HB523 by *Ramsey, *Pody, *Calfee, *Daniel, *Casada, *Lynn, *Eldridge, *Sparks, *Mitchell, *Holsclaw, *Sherrell, *Whitson, *Dunn)

WEDNESDAY, APRIL 4, 2018 -- SIXTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL VERSION

***Senate Bill No. 647** -- Firearms and Ammunition - As introduced, authorizes community corrections officers who hold a valid Tennessee handgun permit to carry a handgun at all times and in all places in Tennessee while in the course of employment and engaged in the actual discharge of official duties. - Amends TCA Title 38, Chapter 8 and Title 39, Chapter 17, Part 13. by *Niceley. (HB1083 by *Sexton J)

***Senate Bill No. 1572** -- Administrative Procedure (UAPA) - As introduced, clarifies definitions of "policy" and "rule" for rulemaking purposes; requires an agency to submit proposed policies to the attorney general for review; prohibits an agency from promulgating rules or implementing policies that infringe on an agency member's freedom of speech; and prescribes that only appointing authorities shall have the power to remove a member from a multi-member governmental entity. - Amends TCA Title 4, Chapter 5. by *Bell, *Stevens. (HB1895 by *Matlock, *Faison)

Senate Bill No. 1879 -- Planning, Public - As introduced, prevents new or amended subdivision regulations proposed by a regional planning commission from taking effect until approved by the county legislative body of any county, and by the governing body of any municipality, lying wholly or partly within the region; removes requirement that a regional planning commission hold a public hearing on subdivision regulations prior to adoption. - Amends TCA Title 13. by *Briggs. (*HB1920 by *Staples, *Smith, *Kane, *Zachary, *Brooks H, *Dunn)

***Senate Bill No. 2049** -- Public Records - As introduced, makes confidential the records of any food-based business incubation service provider created by a municipality. - Amends TCA Section 10-7-504. by *Crowe. (HB2213 by *Holsclaw)

Senate Bill No. 2067 -- Codes - As introduced, increases from 10 to 15 working days following the expiration of a building permit the amount of time that a municipal office has to return the copy of the certificate of insurance or the workers' compensation policy that was filed by the person who obtained the permit. - Amends TCA Title 7 and Title 13. by *Kelsey. (*HB2098 by *Casada, *Wirgau)

Senate Bill No. 2196 -- Local Education Agencies - As introduced, requires LEAs to employ one licensed social worker in each school that conducts classes in any grade from kindergarten through grade 12. - Amends TCA Title 37; Title 49; Title 63 and Title 68, Chapter 1. by *Swann. (*HB2272 by *Pitts, *Love)

***Senate Bill No. 2420** -- Municipal Government - As introduced, authorizes the City of Hendersonville to add the storm water user's fee to the real property tax notice. - Amends TCA Section 67-5-103. by *Haile. (HB2635 by *Lamberth)

**MESSAGE FROM THE SENATE
April 4, 2018**

MADAM SPEAKER: I am directed to return to the House, House Bills Nos. 1473, 1605, 1671, 1701, 1870, 1888, 2006, 2153, 2174, 2189, 2331, 2423 and 2636; substituted for Senate Bills on same subjects and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**ENROLLED BILLS
April 4, 2018**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolutions Nos. 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284 and 285; and find same correctly enrolled and ready for the signature of the Speaker.

GREG GLASS, Chief Engrossing Clerk

**SIGNED
April 4, 2018**

The Speaker announced that she had signed the following: House Resolutions Nos. 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284 and 285.

GREG GLASS, Chief Engrossing Clerk

**REPORT OF CHIEF ENGROSSING CLERK
April 4, 2018**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bills Nos. 222, 1198, 1552, 1667, 1762, 1875, 2014, 2047, 2080, 2251, 2387, 2693, 2696, 2698 and 2701; also House Joint Resolutions Nos. 729, 872, 905, 911, 912, 915, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983 and 994; for his action.

GREG GLASS, Chief Engrossing Clerk

**SIGNED
April 4, 2018**

The Speaker announced that she had signed the following: House Bills Nos. 1686, 1707, 1816, 1966, 1976, 2002, 2029, 2304, 2444 and 2524.

GREG GLASS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE
April 4, 2018**

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos. 670, 797 and 836; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**SIGNED
April 4, 2018**

The Speaker announced that she had signed the following: Senate Joint Resolutions Nos. 670, 797 and 836.

TAMMY LETZLER, Chief Clerk

**ENGROSSED BILLS
April 4, 2018**

MADAM SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Bills Nos. 1494, 1727, 1729, 1856, 1905, 2021, 2161, 2325 and 2330; also House Joint Resolutions Nos. 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063 and 1064.

GREG GLASS, Chief Engrossing Clerk

PRESENT IN CHAMBER

Reps. Doss and Fitzhugh were recorded as being present in the Chamber.

ROLL CALL

The roll call was taken with the following results:

Present..... 82

Representatives present were Beck, Boyd, Brooks H., Brooks K., Butt, Byrd, Calfee, Carr, Carter, Casada, Clemmons, Coley, Crawford, Curcio, DeBerry, Dunn, Eldridge, Faison, Farmer, Favors, Forgety, Gant, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matlock, McCormick, McDaniel, Mitchell, Moody, Moon, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Sherrell, Smith, Sparks, Staples, Terry, Tillis, Travis, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madame Speaker Harwell --
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RECESS

On motion of Rep. Casada, the House stood in recess until 9:00 a.m., Thursday, April 5, 2018.